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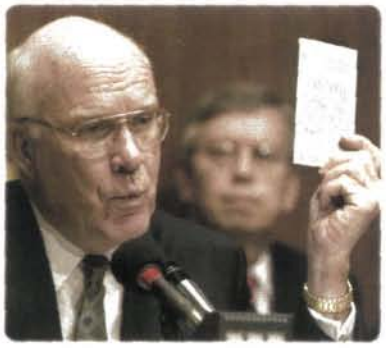

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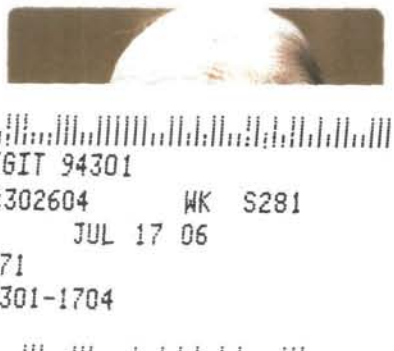

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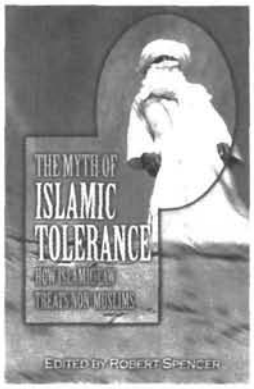

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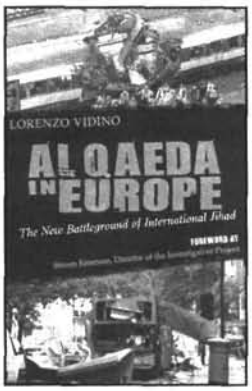

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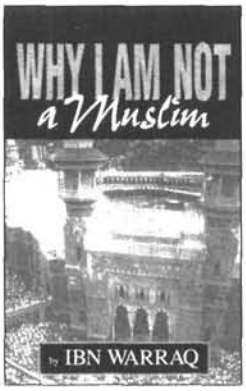

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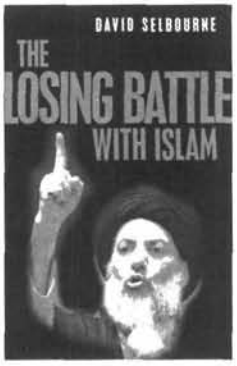

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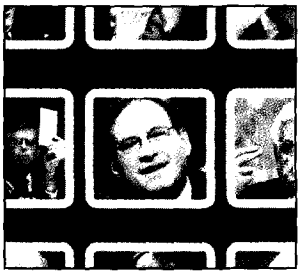

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Scandal Season

The Department of Justice attorneys who work in the public integrity section of the criminal division sure are busy. In the past few months they've indicted Rep. Randy "Duke" Cunningham on bribery charges, indicted former federal procurement director David Safavian on perjury and obstruction of justice, subpoenaed Republican congressman Bob Ney of Ohio, and netted guilty pleas from former Tom DeLay spokesman Michael Scanlon, Republican businessman Adam Kidan, and, of course, former Republican superlobbyist Jack Abramoff, not to mention pursuing its ongoing investigation into Louisiana Democratic congressman William Jefferson . . .

What's that, you say? You haven't heard of the ongoing bribery investigation into Jefferson? Well, neither had THE SCRAPBOOK, until we turned to page A5 of last Thursday's *Washington Post*, which spared 470 words amid an ocean of verbiage on the other scandals to report that the previous day Jefferson's former legislative director, Brett Pfeffer, had pleaded guilty to "conspiracy to commit bribery of a public official and aiding and abetting the bribery of a public official in 2004 and 2005."

As part of his plea, Pfeffer testified that years after he left his job with Jefferson, his old boss gave him a heads-up on some investment opportunities in Africa. (Jefferson, the *Post* reports, is the "co-chairman of the congressional Africa Trade and Investment Caucus and the caucuses on Brazil and Nigeria.") In exchange for the tip, Jefferson "demanded" that he get a "5 to 7 percent stake in one of two new companies," and that "two relatives be put on the businesses' payrolls." An FBI raid of one of Jefferson's homes last August uncovered $90,000 cash hidden in a freezer.

The *New York Times* was not about to be outdone by the *Post* in its coverage of a scandal that subverts, rather than reinforces, the idea of a uniquely Republican "culture of corruption" in Washington. The day after Pfeffer's plea, the *Times* ran an AP story on Jefferson, headlined "Congressman Implicated in Case." The report was a whopping 285 words. Perhaps needless to say, it ran on page A18. Below the fold. ♦

The Evil Bush Does

Ever since George W. Bush was elected president, there is no crime, either real or imagined, for which Hollywood celebrities have not blamed him. Need a swig of the blood of innocent Iraqi children? Ask George W. Bush, he stores it by the barrel—the oil barrel. Think global warming's gotten worse? Of course it has. George W. Bush left the top off his aerosol Aqua Net. Kids forget to do their homework? It's a wonder they have any brain function left at all, now that George W. Bush pumps arsenic into our drinking water.

But the "Take the Cake" award goes to Sean Penn. At a Cindy Sheehan rally in Sacramento last Saturday, he suggested Bush was so nefarious that "it makes it very difficult to quit smoking under this administration." While many will view this statement as typical Hollywood idiocy, THE SCRAPBOOK isn't troubled by what Penn said, but rather, encouraged by what he didn't say.

If we were Sean Penn, there's all sorts of things we'd rather blame Bush for than being unable to stop smoking. Here's a short list: beating up cameramen; tying our wife to a chair; going headline hunting in the Katrina aftermath with a leaky boat and a personal photographer; writing pretentious semiliterate dispatches from Iran with sentences like "I travel better where English is not spoken"; writing pretentious semiliterate open letters to the makers of satirical puppet movies, claiming they "will ultimately lead to the disembowelment, mutilation, exploitation, and death of innocent people throughout the world"; making the movie *I Am Sam*.

That Penn stopped at blaming Bush for his Marlboro habit shows signs of emotional maturity. But there's still about three years left to blame Bush for the rest. ♦

The Guilty Martyr

Late last week—more than a decade after Roger Keith Coleman was electrocuted for the 1981 rape and murder of his sister-in-law, a 19-year-old Grundy, Virginia, woman named Wanda McCoy—a fresh DNA analysis of semen recovered from the victim's body proved beyond a shadow of a doubt that Coleman really was the killer. Back home in Grundy, nobody seemed much surprised by this news. But death penalty foes all over the world were "stunned and disappointed," according to the *Washington Post*. They'd believed—and very much wanted—him to be innocent. Which is kind of creepy, the more you think about it.

It's creepy, for one thing, that the anti-capital-punishment movement chose Coleman as its leading martyr in the first place. The crime in question was unbelievably savage: Wanda McCoy's murderer cut her throat with

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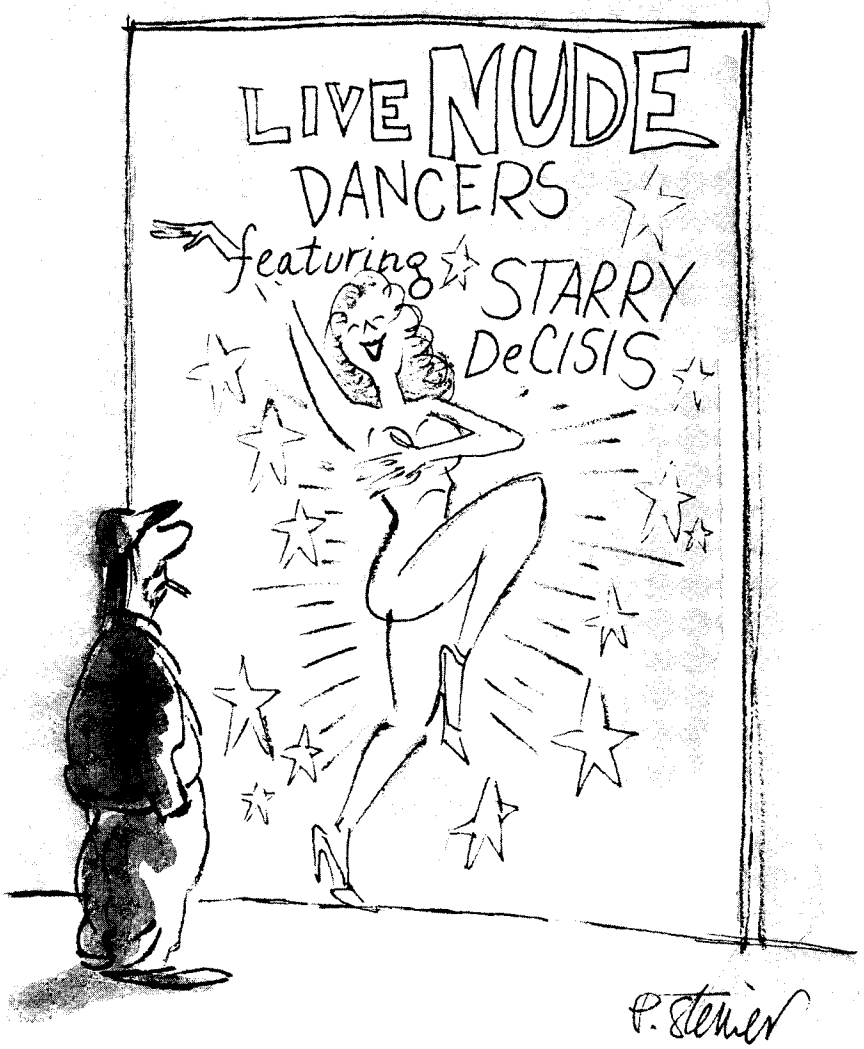

such force that her head was almost severed, and then he raped her, most likely after she was dead. And the evidence against Coleman was always overwhelming. He had a prior conviction for attempted rape. Initial blood, hair, and DNA testing narrowed down the list of suspects to 0.2 percent of the population—including him. Coleman failed a lie detector test his own lawyers requested. And so forth.

Still, the man became a cause célèbre. Amnesty International adopted him. He was on the cover of *Time* ("a story as twisted as the thin bands of highway that corduroy the mountainous tip of southwestern Virginia, a remote pocket of mining country where the river runs black with coal dust in the spring"). The *New York Times* fingered someone else as the "real killer." Pope John Paul II asked then-Virginia governor Doug Wilder to spare Coleman's life. But none of that worked, and Coleman went to the chair.

The creepiest part of it all? That Roger Keith Coleman's many self-deluded supporters are "disappointed" he died a guilty man—that they'd rather Virginia had executed a genuinely innocent person. Alas, it wasn't to be, as Boston College law school professor Phyllis Goldfarb ruefully told the *Post*: "The opportunity to bring new people into the abolitionist movement has been lost." ♦

Rhymes with Daffy

Libya's Muammar Qaddafi delivered himself of some important insights on Libyan TV on January 5, translated courtesy of the Middle East Media Research Institute:

* On defense spending: "In our current circumstances, we don't need to buy tanks, airplanes, missiles, or other huge things like this. . . . If every Libyan is booby-trapped, every car is booby-trapped, every house is booby-trapped, and every road is booby-trapped—the enemy will not be able to survive."

* On his newfound pro-Americanism: "Right now, I have nothing against America, except for the fact that it opposes the Palestinian people and is destroying Iraq. Apart from this, America and I agree on everything."

* On the Arab origins of democracy: "The word 'democracy' means *duhama-karasi*. The *duhama* [common people] are on the *karasi* [seats]. When the common people take the seats—that's democracy. But if the people do not take the seats, that's not democracy. . . . *Demo-karasi* is an Arabic word."

* On the supposed injection of 400 Libyan Children with AIDS by Bulgarian nurses: "We asked the nurses: Who gave you this virus? The countries that defend these nurses should be blamed for being behind this plan. These countries' intelligence gave the virus to the nurses. If the report is true, it is serious. . . . In this day and age, a country allows its intelligence to conduct an experiment on the children of another nation, by means of medical delegation? This is abominable, if it's true." ♦

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Casual

Milton Himmelfarb, 1918-2006

Milton Himmelfarb, a leading American Jewish thinker, died last week at the age of 87. I think he may well have been *the* leading Jewish thinker in America.

Of course, I'm biased. I was his nephew, and I was very fond of my uncle Mendy. (Milton's parents spoke Yiddish, and his Yiddish name was Mendel. So to our family, he was Mendy.) I was also in awe of Milton (I'll now join the rest of the world in calling him that). He was a rare man, and a rare thinker.

I'm not capable of bringing to life his human virtues, or capturing the elusive personal qualities that made him so interesting and impressive. What I can do is urge anyone interested to read Milton's writings. The best place to begin is at the website of *Commentary* (*commentarymagazine.com*), the magazine where he served as a contributing editor and for which he wrote something like 90 articles over almost a half century. *Commentary* has helpfully made available several of Milton's contributions for free. The others are worth paying for.

Milton Himmelfarb was an American patriot. As a man of great learning and broad interests, he was an unusually reflective patriot. But precisely because he was so well versed in history and political thought, he appreciated the achievement of America. And he never ceased to be grateful for it.

Three years ago, he attended a ceremony at the White House at which my father received the presidential medal of freedom. I remember standing with him in an anteroom waiting for the family photo with the president. Milton turned to me and said—with irony, of course, but with a sentiment that went deeper than irony—"Only in America." My uncle knew how rare were the liberty and decency secured by the American regime, and upheld by the American people. His important writings on church-state relations in the United States, and on Jews and American politics, were partly, no doubt, motivated by intellectual curiosity. But he must also have wanted to do his part to support and strengthen this nation to which he and his family owed so much.

In his distinguished 44-year career at the American Jewish Committee,

American Jewish Committee Archive

Milton was a stalwart and loving critic of the American Jewish community. But he was much more. He was a real scholar of Judaism, with a remarkable depth and breadth of knowledge of Judaism's history, its thinkers, and its law and traditions. His depth of understanding prevented him from being any sort of easy apologist for things Jewish. But he was proud to be an unillusioned, clear-eyed champion of Judaism and the Jewish people.

Milton's scholarship, though, was in no way limited to things Jewish. He of course knew Hebrew and Yiddish. But he also knew Latin, French, German, and Italian, and as an adult taught himself Greek while waiting for jury duty. Milton's discussions of Jewish history and thought were, to be sure, contributions to understanding the Jewish tradition. Yet his writings also shed light on fundamental human questions. This is particularly clear in two of his greatest essays, "On Leo Strauss" (1974) and "No Hitler, No Holocaust" (1984).

My cousin Edward began his eulogy at Milton's funeral by saying that his father's "entire life was the 'life of the mind.'" The "entire life" was an overstatement, as Edward's lovely account of Milton as a husband and father of seven made clear. But there is no question that Milton Himmelfarb had an extraordinary mind. And he did dedicate himself to learning, and thinking. In an age of boasting, he was reticent about his knowledge and scholarship.

It often takes a second—or third—reading of one of Milton's essays to see how much learning and thought are packed into any one of his terse sentences or elegant paragraphs. And how much wit. It is, to be sure, often a mordant wit: "Jews earn like Episcopalians and vote like Puerto Ricans." "I hope that is not what we [Jews] think, because I would rather believe us disingenuous than foolish." And here is his complete response in *Commentary* to a published letter from Murray Kempton complaining about "vulgar" and "mean-spirited" remarks concerning Anglo-Saxon Protestants: "I am not vulgar; I am very refined. Neither am I mean-spirited; I am known far and wide for magnanimity."

Milton jokingly appropriated to himself the Greek virtue of magnanimity. But he was more Jew than Greek, more American than ancient. In August 1996, his final contribution to *Commentary* concluded with this reminder:

"*Hatikvah*, the Zionist and Israeli anthem, proclaims, 'Our hope is not lost.' That is in answer to the contemporaries of Ezekiel (37:11), who, more than 2,500 years ago, had despaired, crying, '. . . our hope is lost. . . .'

"Hope is a Jewish virtue."

William Kristol

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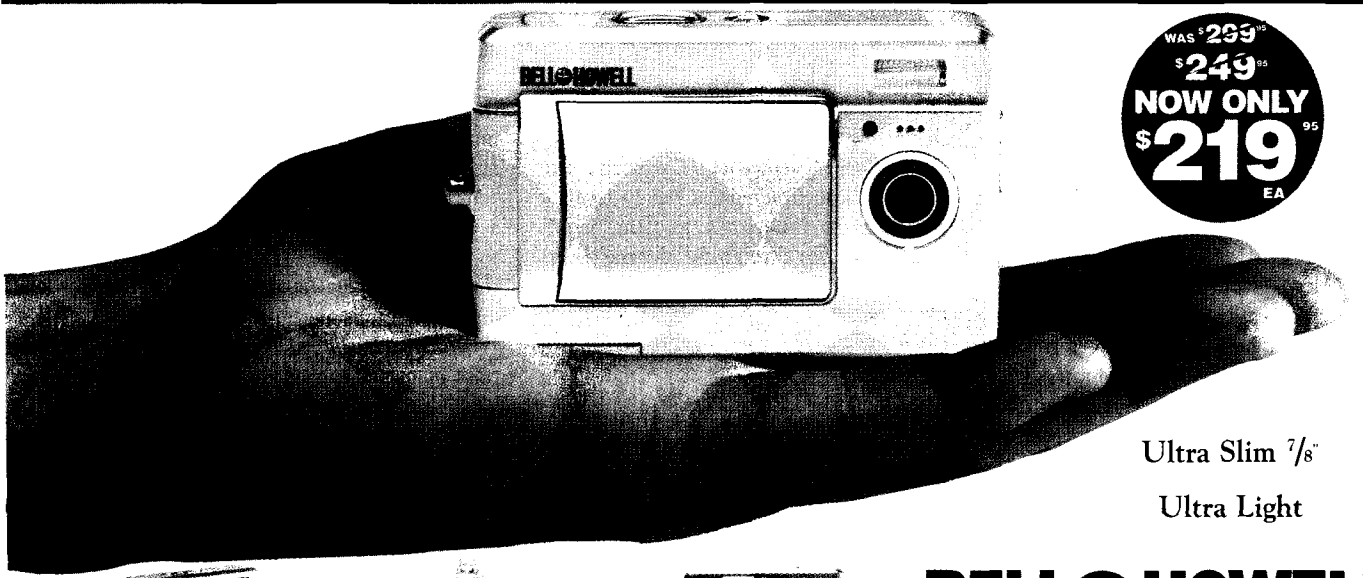

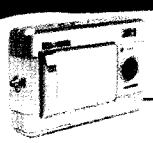

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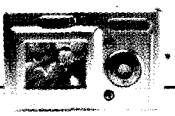

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Piano-Playing Butcher?

Mustaa Ayol 's "A Sultan with Swat" (Dec. 26) ends with the suggestion that we "recover the spirit of Islamic modernity personified by the piano-playing Sufi, Abdul Hamid II." That same Abdul Hamid II was responsible for murdering over 200,000 Christian Armenians between 1894 and 1896, which laid the groundwork for the 1915 Armenian genocide. He was not the gentle, melodious musician that Akyol would have you believe; rather, he was a paranoid and homicidal maniac hell-bent on exterminating the Armenian race, only stopping with the threat of European intervention. How could this man—known as the "Ottoman Butcher" for making his Sunni Muslim subjects brutally murder innocent Christians—possibly embody the "spirit of Islamic modernity"?

Brian Sieben
Portsmouth, R.I.

Mustafa Akyol responds: I did not intend to portray Abdul Hamid II as a completely faultless ruler; rather, I wished to stress the great dichotomy between this prominent caliph—a modernizer of Islamdom and a friend of the United States—and the contemporary self-declared warriors for the caliphate, exemplified by al Qaeda terrorists.

Moreover, although the massacres of 1894 to 1896 are a stain upon the sultan's record, he was not a "butcher," mainly because of his attachment to the Islamic faith. According to historian Robert Melson in *Revolution and Genocide*, "The main reason total genocide was not perpetrated by the Ottoman regime in 1894-96 was its commitment to Islam, to the millet system [Ottoman religious pluralism], and to restoring the old order. . . . To commit genocide by destroying the Armenian millet would have been a radical departure from the sultan's ideology."

Ease up on Emerson

In "Hawthorne's God" (Jan. 2 / Jan. 9) Patrick Walsh creates a false dichotomy between Nathaniel Hawthorne and Ralph Waldo Emerson, a handy tool for demonizing Emerson's gnostic beliefs (aka "America's reigning dogma"). As

Walsh acknowledges, Hawthorne was not a regular churchgoer. He did not adhere to a particular faith and longed for something that did not seem to exist: "a belief that would unite people in a community of love that connected the living and the dead." So Hawthorne, like Emerson, wanted his own version of truth. In this, both men were very much products of their day. Joseph Smith, another New Englander, rejected the Protestant faith of his childhood and founded a new religion, just as William Miller (a New Yorker) created Seventh Day Adventism. The 19th century saw Protestantism's Second Great Awakening in the mid-1800s, as well as a boomlet of new offerings in the 1870s—Christian Scientists, Jehovah's Witnesses, agnosticism, and more.

If Emerson's "gnostic dogma" won the war of ideas, as Walsh asserts (although many would dispute this), then its victory was won fair and square in a thriving religious marketplace. Americans had a wide spectrum of beliefs from which to choose, because everyone was selling their version of the truth. Why single out Emerson as a unique case?

Walsh celebrates Hawthorne's awareness of man's limitations: "It has been said that the opposite of love is not hate, but power." Indeed, it has been said, but Walsh should have mentioned who said it. "Where love rules, there is no will to power; and where power predominates, there love is lacking. The one is the shadow of the other," wrote Carl Jung. Jung was no gnostic, but he believed strongly in the "religion of self," and in fact articulated the concept of "introversion" that Walsh bewails in our culture.

Michele Kerr
Santa Clara, Calif.

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the weekly Standard

And Now Iran

An unrepentant rogue state with a history of sponsoring terrorists seeks to develop weapons of mass destruction. The United States tries to work with European allies to deal with the problem peacefully, depending on International Atomic Energy Agency inspections and United Nations sanctions. The Europeans are generally hesitant and wishful. Russia and China are difficult and obstructive. Eventually the reality of the threat, the obduracy of the rogue state regime in power, becomes too obvious to be ignored.

This is not a history lesson about Iraq. These are today's headlines about Iran, where the regime is openly pursuing its ambition to become a nuclear power. "But this time diplomacy has to be given a chance to work," the doves coo. "Maybe this time Israel will take care of the problem," some hawks whisper. Both are being escapist.

Doves profess concern about Iran's nuclear program and endorse various diplomatic responses to it. But they don't want even to contemplate the threat of military action. Perhaps military action won't ultimately be necessary. But the only way diplomatic, political, and economic pressure has a chance to work over the next months is if the military option—or various military options—are kept on the table.

Meanwhile, some hawks, defenders of the Iraq war, would prefer to deal with one challenge at a time. They hope we can kick the can down the road a while longer, or that a *deus ex machina*—a Jewish one!—will appear to do our job for us. But great powers don't get to avoid their urgent responsibilities because they'd prefer to deal with only one problem at a time, or to slough those responsibilities off onto others.

To be clear: We support diplomatic, political, and economic efforts to halt the nuclear program of the Iranian regime. We support multilateral efforts through the International Atomic Energy Agency and the United Nations, and the assembling of coalitions of the willing, if necessary, to support sanctions and other forms of pressure. We support serious efforts to help democrats and dissidents in Iran, in the hope that regime change can be achieved without military action from the outside. We support strengthening our covert and intelligence capabilities. And we support holding open the possibility of, and beginning to prepare for, various forms of military action.

Many people—the *New York Times* editorial board, much of Europe, even some in the Bush administration—don't really believe a nuclear Iran is unacceptable. They're of course all for various multilateral efforts to persuade President Ahmadinejad and Hashemi Rafsanjani, head of Iran's Council of Expediency, as well as Ayatollah Ali Khamenei, to change their minds and abandon their nuclear ambitions. But the *Times*, and much of Europe, and some in the administration, don't really pretend that these attempts at persuasion are likely to work. At the end of the day, they think we can live with a nuclear Iran. After all, containment and deterrence worked with the Soviet Union; they could also work with Iran, one mid-level State Department official said in an unguarded moment in my presence a couple of months ago.

We don't agree—and we don't think President Bush does, either. A Cuban missile crisis with Khrushchev's Soviet Union was bad enough. Are we willing to risk it with Ahmadinejad's Iran? What about nuclear proliferation throughout the region? What about the hopes for a liberal, less extremist-and-terror-friendly Middle East?

Advocates of containment and deterrence should step forward to make their case openly and honestly. We look forward to engaging them in a real debate. Right now, if you read the *Times* editorial page, or Timothy Garton Ash in the London *Guardian*, there's lots of talk about the unfortunate behavior of Iran, lots of urging of good-faith multilateral efforts—and lots of finger-wagging warnings against even thinking of military action. This isn't serious.

Others, fortunately, are more serious. The *Washington Post* editorial page, for one, endorses political and economic steps of real consequence, warns against letting diplomacy degenerate into appeasement, proposes to test the seriousness of our allies and nations like Russia and China—and refuses to rule out the threat of military action.

And President Bush and Condoleezza Rice are serious. They are now speaking with new urgency, since the Iranian government is testing us, and its nuclear program could well be getting close to the point of no return. And they know that they have to speak with confidence and authority. Our adversaries cannot be allowed to believe that, because some of the intelligence on Iraq was bad, or because the insurgency in Iraq has been difficult, we will be at all intimidated from taking the necessary steps against the current regime in Tehran.

—*William Kristol*

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Risky Business

The biggest danger in Iraq now is drawing down too quickly. BY FREDERICK W. KAGAN

HAS THE AMERICAN withdrawal from Iraq begun? The Defense Department has announced troop reductions there amounting to 29,000 soldiers almost immediately and has dropped broad hints that another 31,000 will come out by the end of 2006, "conditions permitting."

The conditions in Iraq, however, do not seem to support such reductions. A series of spectacular attacks in recent weeks highlight the continuing vigor of the insurgency. And the disenchantment of the Sunni Arabs with the results of the December 15 elections portend a critical time in the months ahead. The president has repeatedly declared that the withdrawal will not adhere to any "artificial" political timeline. How can such statements be squared with a reduction in the U.S. presence at a time many regard as the tipping point in this war?

There were approximately 160,000 U.S. troops in Iraq in the months leading up to the October referendum and the December elections. This represented an increase from the "normal" baseline of 138,000, intended to secure those momentous votes. The extra soldiers were not just pulling guard duty, however. On the contrary, the coalition used the additional forces to conduct a series of intelligent and aggressive operations along the Upper Euphrates valley and elsewhere in the Sunni Triangle to clear towns and villages of insurgents and establish Iraqi Security Forces in their wake to hold them. Coalition commanders and spokesmen have subsequently claimed that these operations played a critical role in allowing peaceful elections and in reducing the overall level of insurgent violence in the country (at least until recently). They are probably right.

In the wake of the elections, the Department of Defense announced that U.S. forces in Iraq would come down to the level of 138,000—a reduction of 22,000 soldiers. Early this month, it announced a further reduction of 7,000 soldiers. The administration has attempted to minimize the significance of these reductions, claiming that the drop from 160,000 to 138,000 was simply a return to normalcy and that only the ensuing cut of 7,000 troops was really a reduction. But, from the standpoint both of military operations and of perceptions, what matters is the 18 percent cut from the levels of December 15. The further drop to 100,000 mooted for the end of 2006 is not what many would consider a measured withdrawal.

The effectiveness of American forces in Iraq does not result simply from the number of soldiers, of course, but also from what they are doing. Here the news is even more disturbing. Instead of exploiting the successes in the Euphrates Valley and elsewhere, coalition commanders seem to foresee a dramatically reduced role in fighting insurgents and have announced their intention to concentrate the remaining U.S. forces on training Iraqis. Once again, coalition commanders and spokesmen are bombarding the media with the numbers of trained or training Iraqi Security Forces and police recruits. Military news releases since the election have described no large-scale counterinsurgent operations at all.

Those releases have focused, instead, on the numbers of operations led by the Iraqis or conducted jointly with U.S. forces. The growing number of such operations is in one sense positive. There can be no question that the development of a robust Iraqi counterinsurgency capability is essential to success in this war. But the operations the Iraqi Security Forces are carrying out differ dramatically from the clear-and-hold operations carried out by U.S. forces in the months leading up to the election. ISF troops are not, on the whole, capable of planning and conducting such complex operations, and U.S. military releases describe instead "cordon-and-knock" missions that tend to net relatively few suspects.

The result of this shift in military operations is worrisome. From the beginning of the war, the coalition has lacked the number of forces that would be needed to clear and hold the Sunni Triangle, let alone the major population centers in Iraq. It will likely be many months before the ISF is capable of conducting such missions on a significant scale. If U.S. forces withdraw to training areas and cease operations against insurgents except for the odd joint raid or "cordon-and-knock," the insurgents may once again begin to establish safe havens in which to train and operate. The longer safe havens persist, the harder it will be to clear them out—and the longer it will be until the ISF troops are able to undertake the mission.

Backing off now assumes that the insurgency is already broken and that the political process will inexorably reduce the violence to a level the ISF can handle. It is possible that this assumption is valid. Recent evidence that Sunni rejectionists have turned on, and even fought, al Qaeda groups is promising, as is the evidence that some rebels have reached out to the coalition and the government to negotiate an entry into the political process. That these

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groups seem to have held back from attempting to disrupt the elections is also promising. But these trends are by no means irreversible.

The Sunni Arabs in Iraq have so far tried three approaches to regaining the control that many of them see as their birthright. First they boycotted the elections of January 2005 in an attempt to delegitimize them. Then they attempted to vote down the constitution in the October referendum. Now they have attempted to participate in the political process in an effort to regain some measure of control over the state. The results of the elections disappointed many in this community (who mistakenly believe that their percentage of the Iraqi population is much higher than it actually is). They have responded by denouncing the elections, staging protests, and renewing violence and threats.

It is by no means clear that the negotiations leading to the formation of a new government will satisfy them, or that that new government will make sufficient changes in the Iraqi constitution to address their fears and demands. The Sunni Arabs therefore must decide whether to commit themselves to a political process that is unlikely to give them what they desire. It is vital as they do so that the coalition demonstrate that violence will not improve their bargaining position. The net reduction in U.S. forces accompanied by a fundamental shift in coalition operational patterns does not send this message. It sends the contrary message: There is a window in which violence might be productive. That is why these reductions and operational changes are unwise.

There is in reality a number of U.S. troops that must be present in Iraq, below which the situation will collapse. American forces continue to be essential in sustaining the ISF and police, and in handling the more dangerous and complex missions against insurgent groups and regions. It is not possible to know what that number is at any given moment, because it depends on too many variables for which we cannot begin to find values: attitudes of the Iraqi populations, the insurgents' capabilities and intentions, reactions to random events, and so on. But think of that number as a red line that we will cross at our peril.

It seems clear that the Bush administration intends to keep U.S. force levels in Iraq as close to that red line as it possibly can. The desire to withdraw results not only from domestic pressure but also from the belief, widespread among senior officers and in the administration, that the presence of U.S. forces in Iraq is perhaps the single most important element fueling the insurgency. Rebel attacks on Iraqi police stations, Iraqi citizens, Iraqi ministries, Iraqi gasoline trucks, Iraqi pipelines, and even the relatives of Iraqi leaders call this assumption into question. The comparative effectiveness of joint U.S.-Iraqi operations in the Euphrates Valley also undermines its validity. The fact that increasing American forces in Iraq from 138,000 to 160,000 in preparation for the elections led to a dramatic improvement in the security situation should have ended the notion that the U.S. presence is the most important factor fueling this insurgency.

The problem with attempting to cleave to the red line is not simply the weakness of the assumptions underlying the policy, however, but also the difficulty of pursuing it effectively. It is quite likely that the desire to reduce forces as rapidly as possible will lead to excessive reductions. Violence will then increase; the situation will begin to deteriorate. The administration may respond by increasing troop strength again, pushing it back over the line, in which case the situation will improve and reductions begin anew. The pattern will be repeated.

That, at least, is one possible scenario. But of course it is much easier to pull forces out than to put them back in. Any such reversal of position will look like an admission of error by the administration. It will anger those Iraqis (not a small number) for whom the U.S. presence is a significant issue, much more so than the initial reduction will have pleased them. It will exacerbate inconsistencies in operational approach and discontinuities in intelligence-gathering. It will enable the insurgents to entrench themselves in safe havens. In sum, it will make the task of counterinsurgency much more difficult.

We have already had a taste of what might result from too hasty a transition in the evidence of Shiite officials' torturing Sunni detainees, and the accusations of Shiite commando units' complicity in an array of atrocities. The coalition responded by attempting to reassert its control over both detention centers and commando units, but at the cost of overcoming significant resistance by the commanders of those units and their superiors. It is much easier to relinquish control than to regain it, and much less controversial to continue to oversee operations than to reassert oversight. A pattern of premature transfers of control and repeated reversals generates ill will and resistance—to say nothing of the damage done to the counterinsurgency effort by the atrocities themselves.

In short, it is better to risk having too many troops than too few. It is better to maintain active pressure on the insurgents than to wait until the Iraqis can do so. It is better to remain focused on the goal of this war. America's objective is not to withdraw from Iraq—we could do that tomorrow if we did not care about the consequences. America's objective is to establish a stable government there, which requires defeating the insurgency. Training Iraqi Security Forces is not a proxy for that goal, but one of several necessary preconditions. The temptation to subordinate our strategy to the establishment of that single precondition has always been the greatest threat to victory in Iraq. ♦

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The Immigration Temptation

The political issue that always disappoints is back.

BY TAMAR JACOBY

CONGRESSWOMAN Kay Granger was practicing a stump speech before an audience of big-time Republican donors. Her district, anchored by the bustling city of Fort Worth, is experiencing a host of problems linked to illegal immigration: day laborers loitering in strip malls, an influx of Spanish-speaking children in the schools, longer-than-usual waits in emergency rooms. Yet the congresswoman hardly mentioned any of this.

Her concerns were larger and more alarming. She noted that a troubling number of the non-Mexican illegal immigrants apprehended in 2004 were Afghans (in fact, they accounted for 57 out of 98,000 in 2004), and she warned that the gangland drug wars raging in Nuevo Laredo (nearly 400 miles away, on the other side of a heavily policed border) would soon be spilling over into Fort Worth. It was hard to say whether Granger was addressing local worries or fanning them, wrestling with real threats or creating fear. But one thing seemed certain: Like many Republican members of Congress, she intends to make illegal immigration a centerpiece of her campaign in the coming midterm election.

Indeed, the conventional wisdom in Washington holds that immigration is emerging as a pivotal issue in the 2006 elections. Some of the capital's most quoted columnists and pollsters say it is the topic to watch, not just in border states but anywhere, from the heartland to the Deep South, that has experienced an influx of newcomers. These pundits expect immigration to loom large in GOP primaries, with incumbents being challenged from the right, as well as in November between Republicans and Democrats.

And though Ken Mehlman, chairman of the Republican National Committee, has long been pressing in a different direction—struggling to shape a GOP more welcoming to minority voters—a bottom-up revolt is taking place within the party: a push to talk tough and crack down in the hope of appealing to the conservative base. It's no accident that Senate Majority Leader Bill Frist featured immigration and border security in his fall fundraising mail piece, or that the House's last act before disbanding for the holidays was to pass a bill calling for a fence along the border. The tough-talkers' hope: that immigration will be the GOP's new secret weapon, an emotional wedge issue to rally voters, pumping up turnout and helping Republicans hold on to threatened majorities in both houses of Congress.

The only problem is that neither public opinion research nor recent electoral history supports this hope. And Republicans planning to ride an anti-immigrant groundswell to victory do so at their peril—and the party's.

Of course, immigration is an increasingly pressing issue, both locally and nationwide. With some 1.5 million foreigners entering the country each year, more than a third of them illegally, voters are ever more concerned not just with the changes they observe, but also with a sense that the system is out of control—that minor irritants like loitering day laborers and Spanish heard in the supermarket will soon be growing exponentially. The issue appeals to a range of dark emotions: economic insecurities, fear of terrorism, and resentment about spending tax revenues on people who have no right to be here in the first place. Then there are the cultural concerns. According to Andrew Kohut of the Pew Research Center, some 40 percent of the public think the growing number of newcomers "threaten traditional American customs and values."

A chorus of restrictionist candidates, bloggers, and talk show hosts inflame these fears, and before long there is no separating the real from the exaggerated. Nor does it help, as some Democratic pundits point out gleefully, that Republican congressional candidates have little else to run on in 2006—few new domestic successes, a fresh batch of scandals, and not much else to distract from the war in Iraq.

Nevertheless, it is far from clear that any but a small minority of Americans care enough about immigration to vote on it. True, a recent *Time* survey found that nearly two-thirds of the public think illegal immigration is a serious problem, and according to a December Gallup poll, more than half would like to see the number of foreigners admitted each year reduced. It's also true that the "salience" of the issue—how important it is to people—has risen in the last year or so. Still, of eight major surveys that measured immigration's salience in recent months, none found it anywhere near the top of the list nationally.

According to both *Time* and the Rasmussen Reports, Iraq is nearly twice as pressing; according to the *Wall Street Journal*/NBC team, Iraq leads by a factor of three; and the bipartisan Battleground survey found that only 3 percent of voters felt immigration was "the Number One problem for the president and Congress," while Iraq was seven times more urgent and the economy four times. True, immigration can elicit strong feelings among voters, and a skilled politician can play on these feelings, raising the issue's salience. That's what campaigns are for. Even so, many of the best poll-watchers are skeptical that immigration will prove

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a magic bullet for Republicans. "It may be a big issue in a handful of contests," says Karlyn Bowman of the American Enterprise Institute, "but it's hard to see it having a broad impact in 2006. Only a small group of people is going to feel so intensely that it's going to determine who they vote for."

Recent history bears this out. Anti-immigration sentiment is a kind of fool's gold—apparently a winner, but invariably disappointing. Patrick Buchanan proved this big time when he ran for president in 2000, playing heavily on nativist fears and drawing less than 1 percent of the popular vote. Restrictionist activists claim they prevailed elsewhere that year, ousting incumbent senator Spencer Abraham of Michigan, who as chairman of the Senate Immigration Subcommittee had led a high-profile effort to increase visas for high-tech workers. But postelection polling showed that Abraham had been defeated from the left—a brilliant get-out-the-vote campaign by the Democratic party and the United Auto Workers—not the restrictionist right.

The truth is that no national election in recent decades has turned either way on immigration. Some half dozen challengers tried to use it last cycle, including in Republican primaries against incumbents on record in favor of a temporary worker program. One or two of these races were close: California congressman David Dreier, viciously targeted by local talk radio as a "political human sacrifice," had the worst scare. But all of the threatened incumbents survived, most of them handily.

Strategists expecting a tsunami this year say that things are different now, that anti-immigrant feeling is more widespread and more intense. But they were disappointed again last fall by the gubernatorial contest in Virginia and by a special election in southern California to replace departing congressman Christopher Cox. Virginia Republican Jerry Kilgore tried to ride immigration and a half dozen other wedge issues, from the death penalty to gay marriage, to the statehouse. Across the country, in California, third-party challenger Jim Gilchrist, founder of the volunteer border patrol Minuteman Project, played for higher stakes still, all but turning his race into a referendum on immigration. Both campaigns attracted national attention. The restrictionist movement pulled out all the stops: fundraising, blog endorsements, and what seemed like endless free TV time, courtesy of Lou Dobbs and Bill O'Reilly. Still, both candidates lost decisively (Kilgore took 46 percent of the vote, Gilchrist 25 percent), including among Republicans and in precincts where they had expected to win big.

Getty / Alex Wong

Day laborers in Herndon, Virginia

The Virginia race in particular offered a glimpse of the promise and peril of immigration as an electoral issue. Kilgore wasn't wrong: His own polling and that of his opponent, Tim Kaine, showed the topic growing in importance for Virginia voters. And Kilgore's campaign—"What part of illegal does Tim Kaine not understand?"—succeeded in increasing its salience, particularly among Republicans. The pitch that played best, across the ideological spectrum, was Kilgore's complaint that Virginia was rewarding illegal behavior, using taxpayer dollars for benefits—cheap tuition, health care, day laborer hiring halls—for people who had no right to be in the state.

Still, concerned as they were about the substance of Kilgore's charge, many voters, both Republicans and independents, were troubled by the way he leveled it, seeming to exploit the issue without a credible solution. He never conceded that the booming Virginia economy might need some help from foreign workers, and his best answer to what most people grasp is a national problem was to deputize local cops. As California strategist Arnold Steinberg, active in the effort to stop Gilchrist, explains, "A wedge issue is an oxymoron—it only works if it isn't perceived as a wedge issue. If voters believe you are using an issue opportunistically—and believe me, they pick up on that immediately—they are repulsed by it and go the other way."

Kaine pollster Pete Brodnitz backs this up with numbers. Though the 70 percent of Virginia voters who thought immigration was the most important issue pulled the lever for Kilgore, he lost 2-to-1 among moderates turned off by his anti-immigrant rhetoric. He ran well behind Bush's record in suburban and exurban areas close to Washington. And asked the day before the balloting who they trusted more to handle immigration, voters split evenly between Kaine and Kilgore, with nearly a quarter still unsure, confused rather than enlightened by the divisive campaign. Meanwhile, not surprisingly, Kilgore also alienated Hispanics. Though only a third of Virginia Hispanics are Democrats—and as of May 2005 they were evenly divided about who should be governor—they had turned sharply against Kilgore by Election Day, voting 58-to-42 percent for his opponent.

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No doubt a better candidate would have handled things better. Poll after poll shows that voters sense the complexity of the issue—that immigrant workers are good for the economy, *and* impose costs on American taxpayers; that national security is a real concern, *and* we can't just close the border; that unlawful behavior should not be rewarded, *and* we can't deport the estimated 11 million illegal immigrants already living in the United States. What's needed are candidates who can speak to this complexity and offer balanced, practical solutions. A recent survey of Republican voters conducted by the Tarrance Group for the Manhattan Institute bears this out: More than three-quarters of those polled favored a policy that combined much tougher border enforcement, much tougher penalties for employers who hired unauthorized workers, *and* a way for illegal immigrants to earn their way onto the right side of the law.

The bottom line: Immigration can perhaps be a winner in November, but not as a wedge issue designed to divide and agitate voters. Candidates face a choice: bashing immigrants or making a constructive effort to address the problem, and Republicans in particular will pay a price for getting it wrong. The cost among Latino voters, the fastest-growing bloc in the country, is obvious. (It's no accident that the California GOP has been unable to deliver a majority for a Republican presidential candidate since its 1994 decision to back the anti-immigrant ballot initiative Proposition 187.) But that will not be the end of it. An anti-immigrant crusade would alienate businesses, both those that employ immigrants and those that see them as potential customers. It would divide congressional candidates from the president and cloud his efforts to create a Reaganesque legacy of openness and optimism. And as in Virginia, it would alienate moderates, both in the party and undeclared. If all this isn't suicidal, surely it adds up to something close. Is the fool's gold that tempting? ♦

The Smear that Failed

Judge Alito, when did you stop molesting children? BY WILLIAM TUCKER

OF ALL THE SMEARS aimed at Supreme Court nominee Samuel Alito, perhaps none was more demagogic than the attack on his opinion in a case involving the body search of a 10-year-old girl during a Pennsylvania drug bust. Leading up to the Senate Judiciary Committee hearings, the Alliance for Justice, a Washington-based group, ran a 30-second TV ad charging that Alito "even voted to approve the strip search of a 10-year-old girl." The case came up repeatedly last week in the questioning of Democratic senators Ted Kennedy and Patrick Leahy.

The case is indeed interesting, but not for the reason Alito's critics think. In fact, it was the two majority judges on the Third Circuit panel who responded to the emotional aspects of the case and tortured the law to reach their desired conclusion.

The incident occurred in a small coal town in Schuylkill County in 1998. Police obtained a warrant to search the home of Michael McGinley, a disbarred lawyer with a history of drug and assault arrests who was believed to be dealing in amphetamines. When four officers arrived at his door, they found his wife and daughter present. Having specifically requested permission to search "all occupants" of the house, they summoned a female officer, who took the mother and daughter to an upstairs bedroom and performed a whole body search, including a pat-down while they were in their underwear. (It was not a "strip-search," as usually reported.) Nothing was found on the women, but police did turn up marijuana and traces of methamphetamine in the house. McGinley was convicted for drug possession and served a probationary sentence.

He also sued the police for several million dollars for allegedly violating his wife and daughter's constitutional rights, in a case that would become known as *Doe* v. *Groody*. (He filed suit as "John Doe," but since McGinley has become a spokesman against Alito's confirmation, it seems fair to include his name here.) In a preliminary hearing, the judge ruled that the officers must stand trial because their conduct violated "clearly established" constitutional rights of the plaintiffs. The officers appealed to the federal Third Circuit.

As presented to the three-judge panel, the case revolved around the following issue. In applying for the search warrant, the two officers had filled in a box entitled "specific description of premises and/or persons to be searched." The language is taken from the Fourth Amendment and officers must be very careful in filling it out. Warrants are routinely thrown out by appeals-court judges who decide that the application did not adequately describe "the place to be searched, and the persons or things to be seized."

By the time the officers had finished describing the suspect's premises and listing his name, address, physical description, and Social Security number, they had no room left to include any further

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information. "As you can see, that box is filled," testified one officer in court. "You can't include everything. . . . It's impossible to fit everything we want in these little boxes they give us."

In order to continue their application, the officers attached an affidavit in which they added a request to search "all occupants" of the house. Fulfilling the Fourth Amendment's requirement that "no warrants shall issue, but upon probable cause," they stated that, in their experience, drug dealers, when faced with "impending apprehension," often gave evidence to other persons present in the hope that "said persons will not be subject to search when police arrive." The judge signed the warrant and its accompanying affidavit.

The Third Circuit majority decided, however, that the warrant and its accompanying affidavit could not be read as a single document:

> The *face* of the search warrant here [emphasis added], however, does not grant authority to search either Jane or Mary Doe. The block designated for a description of the person or place to be searched specifically names John Doe, and identifies and describes his residence. Nothing in that portion of the printed warrant refers to any other individual. . . . Seeking to remedy this omission, the officers argue that the warrant should be read in light of the accompanying affidavit which requested permission to search "all occupants" of the residence. They conclude that the warrant should be read in "common sense" fashion.

But, according to the majority, the warrant and affidavit could not be read as a single document. Because they said different things, they must be considered contradictory. "[T]he language of the warrant is inconsistent with the language of the affidavit, because the former does not grant what the latter sought—permission to search 'all occupants' of the house. That is not a discrepancy as to form; it is a difference as to scope. And it is a difference of significance."

Just for good measure, the judges threw in that they didn't think the search was justified anyway. "For when we examine the affidavit on which the officers rely, it is doubtful that probable cause exists to support a search of John Doe's wife and minor daughter."

Alito's dissenting opinion cut through this tortured logic with a few clear-cut observations. Citing a 1965 opinion that warrants are "normally drafted by nonlawyers in the midst and haste of a criminal investigation," and should be read "in a commonsense and realistic fashion," he listed the fundamentals of the case:

- The warrant application clearly sought permission to search all occupants of the premises;
- The two officers, both of whom had extensive experience in drug raids, made a clear case that suspects often try to hide evidence on other people present;
- The affidavit was expressly incorporated into the warrant;
- Both warrant and affidavit were reviewed by the district attorney's office and signed by the judge.

"Under these circumstances," Alito concluded, "the 'commonsense and realistic' reading of the warrant is that it authorized a search of all occupants of the premises. . . . [T]he majority employs a technical and legalistic method of interpretation that is the antithesis of the 'commonsense and realistic' approach that is appropriate." His reasoning had no impact.

Interestingly, the majority decision clearly flouted the "good faith" exemption to the exclusionary rule on searches and seizures created by the Supreme Court in 1984. (The exclusionary rule, established by the Warren Court in 1961, says that evidence gathered in violation of the Fourth Amendment must be excluded from trial proceedings.)

In that 1984 case, known as *Massachusetts* v. *Sheppard*, the police had arrived at a judge's house on a Sunday night requesting a search warrant for a murder investigation. Not having the keys to the courthouse, the judge improvised a criminal warrant on a form intended for drug cases. The Massachusetts Supreme Court ruled that, because the warrant was written on the wrong form, the incriminating evidence was inadmissible. It overturned the murder conviction.

The Supreme Court, sick and tired of seeing murderers and rapists go free on such technicalities, finally attached a "good faith" exemption to the exclusionary rule. The Court ruled that if police believe they are following proper procedures, the exclusionary rule cannot be invoked because of small, technical errors in the paperwork. The good-faith exemption is the most common defense against small procedural errors in search warrants.

What *Doe* v. *Groody* proves is that, despite the Supreme Court's intentions, there are still lots of federal judges out there eager to use hair-splitting technicalities to achieve the results they desire. In this case, the majority was obviously repelled by the idea of a full-body search of a minor—a perfectly understandable response. What it didn't seem to mind was that, because of its decision, a small Pennsylvania town was forced to pay a six-figure damage settlement to its local speed freak. Alito, for his part, was also displeased with the search. As he said in last week's hearings, "I wasn't happy that a 10-year-old was searched. Now, there wasn't any claim in this case that the search was carried out in any sort of abusive fashion. . . . I don't think there should be a Fourth Amendment rule . . . that minors can never be searched. Because if we had a rule like that, then where would drug dealers hide their drugs?" In the end, though, Alito correctly understood the Supreme Court precedent that applied in the case.

It will be nice to have another justice on the Supreme Court who can put aside personal predilections and stick to interpreting the law. ♦

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A Korean Day of Infamy

From November 17, 1905, to November 17, 2005.

BY SUNG-YOON LEE

THERE'S HARDLY EVER a dull moment in South Korean politics. Awash in frequent and stupendous scandals, Koreans rarely find the time to step back and take the long view. Looking back on 2005, which defining event will Koreans remember, say, fifty or a hundred years from now?

One way to try to answer that question is to look back a hundred years. There was one event of 1905 that all Koreans are taught never to forget: the protectorate treaty imposed on the Korean monarchy by Japan. In the aftermath of Japan's stunning victory in the Russo-Japanese War of 1904-05, the great powers recognized that Japan possessed in Korea—as it was said in the Portsmouth Peace Treaty that formally brought the war to an end—"paramount political, military and economical interests." Today, the Japanese remember the hard-won victory, the Russians the painful defeat, and the Americans the Nobel peace prize won by President Theodore Roosevelt for his efforts at the negotiations in Portsmouth, New Hampshire.

For the Koreans, Japan's status as a "protector" and its uncontested control of Korea's external relations meant the loss of national sovereignty until Japan's defeat in World War II. Unable to defend itself, and with no foreign power interested in challenging Japan's claim, Korea signed the protectorate treaty under duress, on November 17, 1905. The purpose of the treaty, as it was spelled out, was to "strengthen the principle of solidarity" between the two countries.

More than the date, or the terms of the treaty, or the events leading up to November 17, 1905, Koreans still remember the "betrayal" and abandonment by the United States and other great powers, as well as the ineptitude and cowardice of their own leaders, several of whom, as collaborators with the Japanese, have forever been branded traitors in the collective Korean psyche.

In 2005, no such jarring foreign encroachment or concession has been visited upon the Korean people. Yet on November 17, 2005, coincidentally one hundred years to the day since the signing of the protectorate treaty, another shameful event took place. The scene this time was far removed from Korean soil, and the immediate impact was anything but as cataclysmic as in 1905. Yet the betrayal of November 17, 2005, is likely to be remembered in future years as a similar moment of abandonment, ineptitude, cowardice, and even collaboration with the enemy.

That day, for the first time, the United Nations General Assembly voted on a resolution condemning the violation of human rights in North Korea. Eighty-four nations stood on the side of principle and voted to condemn the Pyongyang regime's "widespread human rights violations, including torture, public executions, arbitrary detention, the absence of due process, the imposition of the death penalty for political reasons, the large number of prison camps and the extensive use of forced labor."

Predictably, North Korea vehemently denounced the resolution, calling it a "political ploy" by the United States to topple its government, although it was actually the European Union that spearheaded the unprecedented General Assembly action. And North Korea found a sympathetic crowd in the 22 nations that voted against the resolution—among them, Belarus, China, Cuba, Iran, Laos, Libya, Russia, Sudan, Syria, Uzbekistan, and Zimbabwe.

All the while, South Korea, the presumptive sole legitimate government on the Korean peninsula, with the world as its stage, chose to stand in the wings and avert its gaze. Never a laggard when it comes to stressing common ethnic ties with the people of the North, South Korea nonetheless joined the 62 apathetic or fence-straddling nations—the likes of Algeria, Angola, Botswana, Cameroon, Nepal, Nigeria, Pakistan, Rwanda, Somalia, Togo, Yemen, and Zambia—and abstained.

The South Korean government explained its inaction as being "for the sake of more urgent and important policy goals integral to peace and stability on the Korean peninsula," further elaborating that it "could only pursue efforts at improvement of North Korean human rights based on various hierarchies of priorities and harmony within the general framework of [its] North Korea policy."

Peace and stability certainly are priorities for any government. It is also an accepted norm in international relations that nation-states do not, at the risk of compromising internal stability, readily open their borders to foreign refugees in need of humanitarian assistance. Further, it is a fact that no government ever achieves within its own borders or effectively preaches to other states an absolute and unblemished respect for human rights. Over the past century, the record of even the world's leading nations in response to pogroms and man-made disasters in distant parts of the world has been one largely

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marked by denial, profession of impotence, belated regret, and only very occasionally, soul-searching and tepid action.

But the extreme degree to which the North Korean state controls and abuses its citizens puts it into a category of one. North Korea's record of human rights violations in our day and age is truly exemplary: mass starvation and malnutrition reaching one-tenth of the population, one percent of the population wasting away in concentration camps, and another one percent of the population continuing to flee the country at the risk of imprisonment, torture, and brutal public execution.

Such extreme crimes demand a response, surely, from fellow Koreans who live in the incomparably freer and wealthier South. The international norm that third-party nations, for the sake of social or economic "stability," keep their borders at least partially closed to foreign refugees does not apply to South Korea. The constitution of South Korea stipulates that North Korean refugees are South Korean citizens. Even were the provisions of the constitution changed or the constitution itself abandoned, this plain fact will never change: Koreans in the North and South are one people. Yet the South Korean government has steadfastly discouraged North Koreans from trying to seek a better life in the South.

The General Assembly's resolution on the North Korean human rights situation demands no action of any government. It is simply an admonition on paper. That the South Korean government will not even sign such a statement of concern is, diplomatically speaking, misguided. More frankly, it is collaborationist. To lag behind world standards in nuclear technology or biological research is no shame at all; to fail to stand with world public opinion on the basic rights of fellow Koreans, of one's own kin, is an abdication of the most minimal moral duty.

The capacity for abstract sympathy can be a powerful force that impels some to alleviate the suffering of total strangers. Sadly, the attitude that the South Korean government exhibits toward North Korean human rights stops at just that—as abstract or rhetorical sympathy. But the suffering of North Koreans is no abstraction. It is visibly and palpably real.

As Koreans and the world learn more about the unspeakable conditions of life in North Korea, there will come a day of reckoning. Koreans free and proud will finally demand answers about the current South Korean government's presumptions and priorities when it comes to human rights abuses in the North. To those seeking retribution and justice, excuses for betraying the trust of some 20 million brothers and sisters in the North in the name of "peace and stability" will simply be received as adding insult to injury.

Governments purportedly make policy decisions in the interest of their own people and the future of the nation they represent. A hundred years ago, educated Korean men favorably disposed toward Japan collaborated with the Japanese and facilitated the transfer of Korean sovereignty to Japan, all in the name of peace and stability. The Koreans have yet to forgive or forget them.

For the world beyond the Korean peninsula, the U.N. General Assembly's action on November 17, 2005, will stand as little more than a historical footnote. On the other hand, future generations of Koreans, one day living under a unified democratic government, will look back to the U.N. vote and see it as a turning point in the effort to address the suffering of their ancestors. And the abstention by the South Korean government on that day, if not the details of the resolution itself, will cast a long shadow. Like the shameful events of 1905, it will not soon be forgotten. ♦

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Inside 'Concerned Alumni of Princeton'

Samuel Alito had virtually nothing to do with the notorious CAP. I did.

By Terry Eastland

About the Alito hearings, one thing is certain: If it had been the Concerned Alumni of Princeton that was up for confirmation, the nomination wouldn't even make it out of the Judiciary Committee. Democrats led by Sen. Edward Kennedy portrayed CAP as hostile to minorities and to coeducation and thus to women. And Republicans weren't about to get into a fight over CAP, which was formed in 1972, shortly after Princeton went coeducational and the same year Samuel Alito graduated. CAP went out of business in 1986.

CAP drew the interest of committee Democrats because Alito once identified himself as a member. Seeking a political position in the Reagan Justice Department in 1985, Alito, then a career attorney, noted on his job application his membership in CAP, which he described as "a conservative group." Before the hearings, Alito made clear that he was not an active member, and when, during the hearings, he was advised of certain things some people involved with CAP had said about women and minorities, Alito responded that he didn't have any knowledge of those statements and he emphatically disagreed with them.

Alito said on several occasions that he had "wracked his memory" but found "no specific recollection" of the group. A committee search of CAP documents belonging to former *National Review* publisher William Rusher and archived at the Library of Congress—a search demanded by Senator Kennedy—turned up no mention of Alito. When or why he had joined the group, Alito couldn't recall, though he said the reason might have involved ROTC, in which he was enrolled. "There were people who were strongly opposed to having [ROTC] on campus," he said in an exchange with Sen. Patrick Leahy. "And the attitude seemed to be that the military was a bad institution, and that Princeton was too good for the military, and that Princeton would somehow be sullied if people in uniform were walking about the campus, that the courses didn't merit getting credit, that the instructors shouldn't be viewed as part of the faculty." CAP strongly supported ROTC.

Sitting in the press section in Hart 226, mere feet away from the table where Sam Alito was insistently queried about CAP, I reflected on the oddity that I knew far more about CAP than Alito and his interrogators. Once upon a time, I drew a paycheck from CAP. I never thought I'd have occasion to write about those long ago days. But here I am.

It was July 1974, and after finishing a degree at Oxford, I had flown from London to New York City, where I was intent on finding a job writing for a magazine. My first choice (naturally) was *Sports Illustrated*, but it was fully staffed. I thought about approaching *National Review*, having read it for years, but opening a recent issue, I saw this classified ad:

> Extraordinary opportunity for recent college graduate who is a conservative with experience in journalism. . . . Challenging work with magazine and organization that is active on Ivy League campus, will provide wide range of experience and opportunities for any young conservative who plans career in journalism, communications, business or politics. Working conditions ideal. Send resume, writing samples, and salary requirements to NR Box 1801.

I responded to the ad and was invited for an interview. The Ivy League campus, it turned out, was Princeton's. I took the train to New Jersey and was met by T. Harding Jones, who, like Alito, was a member of the class of 1972. Jones was CAP's executive director. He described CAP as a group of conservative alumni concerned about trends at their alma mater: a faculty tilting left, a curriculum going politically correct, academic standards declining. He told me about Shelby Cullom

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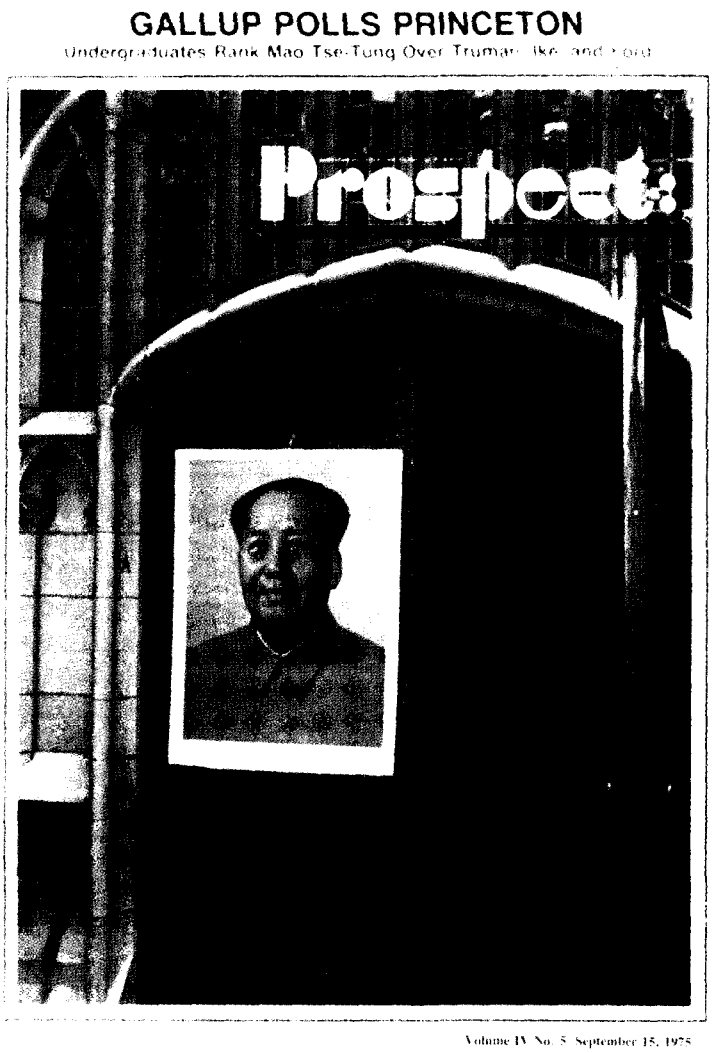

GALLUP POLLS PRINCETON

Undergraduates Rank Mao Tse-Tung Over Truman, Ike, and Ford

Prospect

Volume IV No. 5 September 15, 1975

The September 15, 1975, issue of CAP's Prospect *magazine*

Davis, class of 1930, a wealthy businessman and ambassador to Switzerland in the Nixon administration, who was a founding chairman of CAP and its biggest contributor. CAP, of course, sponsored a magazine, *Prospect*, which was sent to all alumni, and it needed editorial help. Jones had edited the first issues, but his duties as executive director had grown such that he wanted a managing editor, someone to assign and edit stories, as well as write, and lay out and put to bed each issue. As I understood the magazine's purpose, it was to report and comment on developments at Princeton. The hope was that the administration would moderate its course.

A Vanderbilt graduate, I knew next to nothing about Princeton. Jones told me that he wanted a non-Princetonian in the job, someone who could look at things with a fresh eye. I didn't think much about whether it might be a stiff run uphill for an alumni group to try to influence the decisions of its alma mater. The job sounded interesting. It encompassed a range of editorial tasks—more than I had undertaken working for the Vanderbilt *Hustler*—and the experience would prepare me for my next job. When Jones offered me the position, I accepted, and it was understood that I'd work at least through the spring semester. I can't remember having a "requisite salary," but I was paid around $150 a week.

The issues we put out included reported stories and opinion pieces. Richard K. Rein, a 1969 graduate of Princeton and chairman of *The Daily Princetonian*, and who would not have called himself a conservative, was a freelancer who did some of the reported pieces. I did some, too, including stories on problems in the athletic program (CAP members worried about its decline) and on a controversial tenure decision in the history department. Letter-writers worried about the future of ROTC on campus, the disproportionately liberal faculty, the use of race in admissions, and the demise of *in loco parentis*. I thought it would be good to include book reviews. In one issue I wrote about *On Liberty and Liberalism: The Case of John Stuart Mill* by the historian Gertrude Himmelfarb. "One cannot dismiss her easily," I wrote with keen insight. Jones wrote a column, and we included messages from CAP. In my experience, CAP was not seeking a return to the male-only Princeton. A statement of objectives we published endorsed a student body of "young men and women" who would become leaders in the academy, business, government, and the military.

Still, *Prospect* wasn't a typical alumni magazine. It had the "standing-athwart-history" sensibility of *National Review* and the puckish quality of the *American Spectator* (then known as the *Alternative*). It was hardly above taking a few shots, which it did in a standing column titled "Shots from Cannon Green." Cannon Green is the expansive green behind Nassau Hall, where the administration is still located. The green was so named because in the middle of it is a half-buried cannon from the Revolutionary War.

It quickly became apparent to me that CAP was loathsome to the administration. The first issue of *Prospect* had declared that it was CAP's mission to provide constructive criticism of the university from "a group of dedicated alumni who are hopeful of an early consolidation—not of

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the old Princeton, not of what is being recognized as the new Princeton, but of the Best of All Possible Princetons." *Prospect* itself was "not to interfere [with] but to be of genuine service" to Princeton. But the administration saw CAP as wanting to recover the old Princeton, and not so much helpful as disloyal. The administration wasn't about to change course, and it had a certain imperial character, as though it were all-wise and could do no wrong. In this environment, I found it hard to get phone calls returned. On the other hand, the experience taught me the importance of perseverance—and of sources (they were out there) willing to help with a story.

CAP often was an object of ridicule. I didn't go to the 1974 Princeton-Harvard football game, but I heard about the half-time performance. As usual, the Princeton marching band detached itself into lines to form letters and spell out certain words, while a scripted commentary was read over the loud speakers. While playing "Stars and Stripes Forever," the band formed the letters C-A-P, with one part of the band organized as a floating "R." The commentator announced, "The Princeton University Band takes a long 'harding' look at concerned alumni." The trouble that CAP finds at Princeton, the commentator continued, really "comes from the pen of T. Harding Jones, a self-appointed theologian, philosopher, campus politico, sociologist, lawyer, and Great Right Hope. The band now gives CAP a right-handed compliment." At this point the "R," after trying to move between the "A" and the "P," finally settled in between the "C" and the "A." The band next paid tribute to Shelby Cullom Davis, who, the commentator said, supports "the students' favorite comic book, *Prospect* magazine."

An essay and photo spread irritated one junior who lived there, Hilary Abigail Bok, a niece of the president of Harvard.

Not surprisingly, Jones liked the band's "long harding look." He believed, as those practiced in the arts of publicity often do, that any attention is better than none. To Jones, "CRAP" was a sign that CAP had drawn blood.

Jones was a memorable character. A native of Middletown, Ohio, and the great nephew of two famous college football coaches, he drove around in one of those old Checker cabs with the roomy interior and extra seating. It was painted blue, as I recall. Often dressed to the nines, he wore a raccoon overcoat in winter. Like many young conservatives of that era, he sought to emulate Bill Buckley, whom he'd brought to campus as a speaker. He reached for seldom-used words, especially ones with lots of syllables, though the effect in his writing fell short of what it achieves for Buckley. Jones had a non-CAP life in music and theater. He sang some, and he acted, and he often drove up to New York City, his big car invariably loaded with passengers.

Jones also took photographs for *Prospect*. He kept his eyes peeled for whatever he thought would outrage the Princeton establishment. The February 1975 issue contained an article of his describing what had happened to the old Princeton Inn since the administration had converted it into a residence for undergraduates and renamed it the Princeton College Inn. The change was not for the better, Jones thought, and to illustrate his point, he took photos that ran with the piece. One showed a less-than-well-kept ladies' room, another a dog's excrement on a stair landing. The essay and photo spread irritated one junior who lived there, Hilary Abigail Bok, a niece of the president of Harvard. She made an appointment to see Jones at our offices on Nassau Street and came armed with a chocolate cream pie. Hiding it in her tote bag, she managed to lift it out and land some of it in Jones's face. After she left, Jones emerged from his office. "You won't believe what happened," he said. Actually, I did believe, for it seemed that just about anything could happen whenever he was involved. In a long piece on CAP in 1977, the *New Yorker* reported that the residents of the Princeton College Inn later named their library after Norman Thomas, class of 1905, and their refurbished ladies' room after T. Harding Jones.

By the time the spring semester ended, I was ready to move on, and so I eventually took a job at the afternoon newspaper in Greensboro, N.C. I didn't keep up with CAP and *Prospect*, though later I learned about the non-Princetonians who succeeded me at the magazine—among them David Asman, Bob Royal, Dinesh D'Souza, and Laura Ingraham. Asman, along with Andrew Napolitano, a CAP board member, is now with Fox News. Royal is president of the Faith and Reason Institute in Washington. D'Souza has written book after book, and Ingraham, who clerked for Justice Clarence Thomas, has a radio talk show with a national audience.

In 1983 I left daily journalism to take a job on the staff of President Reagan's first attorney general, William French Smith. A lawyer with an office down the hall from mine was Samuel Alito. At some point we met. What you see now is what he was then: very bright, very thoughtful, circumspect, and courteous. I was a political appointee, and it was two years later that Alito, in his application for the political job of deputy in the Office of

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Legal Counsel, noted that he was a member of CAP.

In a recent story on the 1985 job application memo, the *Daily Princetonian* suggested that I might have had something to do with Alito's getting the job. The reporter indulged the assumption that I had assured Reagan's personnel people of Alito's conservative credentials, given his membership in CAP. "That would have been a good connection for Sam," said an individual whom the reporter identified as "familiar with the group" but "who asked not to be named because of the sensitivity of the issue." Had the reporter called, however, I would have told him that I played no part in the decision, that I didn't know Alito had applied for the job, and that I didn't know that Alito had gone to Princeton, much less had any association with CAP. I never saw or heard of him during my time at *Prospect*.

It is, of course, preposterous to think that Alito included CAP on that job application to set a trap for Judiciary Committee Democrats. But the reference certainly had that effect. Some Democrats—and outside interest groups—thought they might be able to use Alito's CAP membership to defeat him. Kennedy's argument was that Alito was proud of belonging to a group "fighting to turn back the clock on basic equality," that the "insensitivity" shown by his "boasting" of CAP membership can be seen in his record on civil rights cases, and that he cannot be trusted as a justice to do right in this area of the law. But for this argument to be plausible, Kennedy had to show that Alito had at least been involved with such a nefarious group, contrary to his testimony. Alito, it turns out, was a member of CAP but entirely uninvolved. Once the archives were searched, Kennedy, for a change, was speechless. CAP was no longer an issue.

Princeton, however, had a rough week. In his opening statement, Alito spoke warmly about the New Jersey community in which he grew up. There were few college graduates, and he went to public schools. But then he went 12 miles down the road to Princeton, where, he said, "I saw some very smart people and very privileged people behaving irresponsibly. And I couldn't help making a contrast between some of the worst of what I saw on the campus and the good sense and the decency of the people back in my own community." And then there was Alito's testimony about ROTC at Princeton. He well remembered that his ROTC unit was expelled from campus during his junior year and that he had to go to Trenton State College to finish his ROTC classes. And he commented as to how that was "a very bad thing for Princeton to do." Not bad, but very bad.

You have to wonder how, back at Nassau Hall, they regard the prospect of Justice Alito. ♦

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Alito and the Catholics

The decline of an institution and the rise of its ideas

By Joseph Bottum

On the morning President Bush nominated Samuel Alito to become the fifth Catholic on the Supreme Court, I was sitting on an airplane next to a joke-teller, one of those people whose idea of travel is the chance to pass along to strangers all the latest gags. "So," he began, patting his jovial belly, "have you heard this one? A doctor, a lawyer, and a priest are on a ship when it hits a rock and begins to sink. 'What about the women and children?' the doctor worries as the three pile into the only lifeboat. 'Screw the women and children,' the lawyer replies. 'Do you think we have time?' asks the priest."

This may be the best time in American history to be a Catholic, and it may also be the worst: a moment of triumph after 200 years of outsiderness, and an occasion of mockery and shame. It is an era in which a surprisingly large portion of the nation's serious moral analysis seems to derive from Catholic sources. But it is also a day in which Monsignor Eugene Clark—an influential activist and Fulton J. Sheen's successor as rector of New York's St. Patrick's Cathedral—can be named an adulterer in a divorce petition and photographed checking into a hotel with his hot-panted secretary, to the weeks-long titillation of New York's tabloids: "Beauty and the Priest," ran the headline in the *Daily News*. Catholicism is the most visible public philosophy in America, and the Catholic Church is a national joke.

That's not necessarily a contradiction. Indeed, there might even be a connection between the rising rhetorical influence of Catholicism and the declining political influence of the Church. Since its founding, the United States has always had a source of moral vocabulary and feeling that stands at least a little apart from the marketplace and the polling booth—from both the economics of capitalism and the politics of democracy that otherwise dominate the nation. For much of American history, that source was the moral sense shared by the various Protestant denominations, and it influenced everything from the Revolution to the civil-rights movement.

Somewhere in the last 50 years, however, the mainline Protestant churches went into catastrophic decline. The reasons are complex, but the result is clear. By the 1970s, a hole had opened at the center of American public life, and into that vacuum were pulled two groups that had always before stood on the outside, looking in: Catholics and evangelicals.

Their meeting produced one of the least likely alliances in the nation's history, and it can be parsed in dozens of different ways. "Evangelicals supply the political energy, Catholics the intellectual heft," the *New Republic* claimed this month as it attempted to explain the Catholic ascendancy on the Supreme Court. That explanation is, as *Christianity Today* replied, mostly just a condescending update of the *Washington Post*'s old insistence that evangelicals are "poor, uneducated, and easy to command." But the *New Republic* was at least right that the rhetorical resources of Catholicism—its ability to take a moral impulse born from religion and channel it into a more general public vocabulary and philosophical analysis—have come to dominate conservative discussions of everything from natural-law accounts of abortion to just-war theory.

In 1960, John F. Kennedy won 87 percent of the vote of Mass-going Catholics, but it has been a long time since Catholics achieved that kind of electoral unity. Indeed, there's an interesting question whether the leading evangelicals would grant Catholicism its current role if Catholics still had the kind of ethnic-voter unity they used to show. We may be seeing the emergence of one of those uniquely American compromises: A Catholic philosophical vocabulary is allowed to express a moral seriousness the nation needs, on the guarantee that the

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Catholic Church itself will not much matter politically.

The Catholic clergy's particular sins, especially against children, produced a shame that is deep and well-deserved, and through their class-action suits, the victims are about to strip away the endowment left by five generations of ethnic believers. The bricks-and-mortar Catholicism of the last hundred years—the intense desire of all those hard-working immigrants to build a visible monument of parishes, schools, hospitals, and orphanages—may well have disappeared by the time the total damage is calculated.

Work still needs to be done to explain the causes of the priests' crimes, together with the reasons for the American bishops' horrifyingly insufficient response. But, along the way, the political power of the Church itself came at last to its complete end. Perhaps the perceived influence of America's hierarchy had been, in fact, unreal for some time—a brief-lived leftover from the days when Catholic bishops really could direct their parishioners' votes. Still, the national prominence of, say, John Cardinal O'Connor before his death in 2000 seemed the natural order of things: Archbishops of New York have always occupied a powerful place in American affairs—or, at least, they always *used* to occupy a powerful place. O'Connor's successor, Edward Egan, appears mostly to wish he belonged to the Church Invisible, and he remains little known even to his fellow New Yorkers. With some exceptions (such as Archbishop Charles Chaput of Denver and Francis Cardinal George of Chicago—neither, it is worth noting, implicated in the cover-up of the priest scandals), the vast majority of America's bishops have joined Cardinal Egan in full retreat from public engagement.

And that leaves—well, who is there now to speak for American Catholics? As their ethnic unity dissipated, Catholics have had considerably less need for someone to *represent* them, in the old, tribal sense of the word. But at the same time, the vacuum in public discourse allows Catholicism to act as a marker of intellectual depth about public philosophy—for good or for ill, depending on your view of the various issues on which it impinges, but always somehow a symbol of something that must be taken seriously.

So, President Bush, reeling from the rejection by conservatives of a nominee perceived as unserious, tossed aside all the diversity qualifications he had claimed for Harriet Miers and picked yet another Catholic for the Supreme Court. It doesn't always prove true, of course (as the existence of pro-abortion Catholic politicians demonstrates), but the American public seems to take serious Catholicism as an immediate sign of moral attention on intellectual topics like the law. Who now speaks for American Catholicism? A good example might be someone like Samuel A. Alito Jr.

Not that Alito is much of a spokesman for his coreligionists. He's never been a professional Catholic, one of those commentators who make their living off the fact of their faith. Nor has anyone claimed that his earlier jobs at the Justice Department and on the federal bench were obtained through some Catholic quota, the way the Supreme Court for decades had what used to be called the "Catholic seat." According to a report on *Beliefnet.com*, Alito sometimes attends Mass at St. Aloysius in Caldwell, New Jersey, a church very traditional in both its theology and its sacramental practice. But he's also a registered parishioner at Our Lady of the Blessed Sacrament in neighboring Roseland, which is, by all accounts, a fairly typical liberal suburban church, and the parish where his wife teaches catechism to the local children. Nothing in Alito's record suggests a desire or even a willingness to stand as the token Catholic representative for much of anything.

Which, in its way, makes him even more representative. In 2004, during the second presidential debate, John Kerry boasted that he used to be an altar boy, as indeed he did. It was a naked appeal to the old style of the Catholic vote: the ethnic unity that for more than a century delivered the votes of blue-collar urban America to the Democrats. In the end, George Bush won a good majority of Catholic votes—as might have been predicted when Kerry went immediately from mentioning his boyhood Catholicism to explaining why he supported public funding for abortions. Fifty years earlier, Bush's appeal to shared ideas of Catholicism would have been trounced by Kerry's appeal to shared membership in the Catholic Church.

Of course, 50 years earlier, Kerry would have shared the ideas of Catholicism, too. The meeting of evangelicals and Catholics in the opened center of American public discourse was probably bound to produce somebody like President Bush, an evangelical who couched his second inaugural address almost entirely in the language of natural law. But what's particularly interesting is that this somebody is a *Republican*—for by all rights, it should have been a Democrat. For that matter, so should most of the Catholics that Republican presidents have put on the bench in recent years. Perhaps the privileged upbringing of the new chief justice, John Roberts, would have made him a Catholic Republican anyway (there were occasionally such rare beasts), but Samuel Alito, Antonin Scalia, Anthony Kennedy, and Clarence Thomas would almost certainly be Democrats, if there were left any place for their kind of Catholic thought in the Democratic party.

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Polaris / Jay L. Clendenin

The first day of hearings: Judge Alito with family members, including his wife Rosemary on the right

The most fascinating political story of the twentieth century may be how and why the Democratic party rejected its core of serious Catholic politicians and voters. "Goodbye, Catholics," an interesting article by Mark Stricherz in *Commonweal* this past November, pointed to the "soft quota" rule of the McGovern Commission from 1969 to 1972, which quickly delivered the party from the old city and union bosses to the feminists and social activists—all in service of creating what Fred Dutton, the commission's active force, called a "loose peace constituency."

Following the *Commonweal* report, David Brooks recently used his column in the *New York Times* to blame Dutton and the McGovern Commission for "Losing the Alitos"—for chasing out of the party, from the 1970s on, the Catholic blue-collar constituency that had been a mainstay of Democratic success for generations. "By the late 1960s," Brooks noted,

> cultural politics replaced New Deal politics, and liberal Democrats did their best to repel Northern white ethnic voters. Big-city liberals launched crusades against police brutality, portraying working-class cops as thuggish storm troopers for the establishment. In the media, educated liberals portrayed urban ethnics as uncultured, uneducated Archie Bunkers. The liberals were doves; the ethnics were hawks. . . . The liberals thought an unjust society caused poverty; the ethnics believed in working their way out of poverty.

That's all true, of course, but people like Samuel Alito haven't actually been blue-collar urban ethnics for a long, long time. This is a man, after all, who went to Princeton as an undergraduate, got his law degree from Yale, and has—as reported during the debate over whether he should have recused himself from a case involving the Vanguard investment firm—over $400,000 in his retirement accounts. Alito looks rather like a model case study in the assimilation of Catholics into the American upper-middle class.

Except for abortion. Crime and protest, all those "Question Authority" bumper stickers that Brooks cites, may have freed some Catholic ethnics to vote for Republicans. And assimilation on the far side of suburbia's crabgrass frontier may have freed more from the politics of their urban roots, as their green-lawn Catholic churches became indistinguishable from the Methodist and Presbyterian churches down the block. But there is nonetheless something distinctive left about Catholicism as a system of public thought, and for people like Samuel Alito, it found its rock—the place beyond which it would not go and from which it began to build back—when the Democrats became the party of abortion and the Republicans the party of life.

In the summer of 2003, the conservative Committee for Justice, upset over the stalled nomination of William Pryor to the Eleventh U.S. Circuit Court of Appeals, ran advertisements accusing the Democrats of imposing a "No Catholics Need Apply" rule on potential federal judges. When the antireligious advocacy group Americans United for Separation of Church and State issued its predictable attacks on John Roberts and Samuel Alito as raging Catholic theocrats determined to tear down the wall between church and state, the Catholic League's Bill Donohue responded with the same rhetoric of a litmus test designed to keep Catholics off the courts.

In one sense, such claims are palpable nonsense: Among the Democratic senators on the Judiciary Committee, Patrick Leahy, Ted Kennedy, and Richard Durbin are just as officially Catholic as Samuel Alito, the nominee they spent four days grilling last week. Of course, those same senators are manifestly *not* believers in the coherent system of Catholic thought in the American context that a set of (mostly) conservative theorists have developed in the 33 years since *Roe* v. *Wade* was handed down. The Committee for Justice simply got the phrasing wrong. In truth, for the Democrats, Catholics are more than welcome. It's Catholicism that's right out the window.

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That kind of Catholicism is not, by any means, the same thing as sincere Catholic belief. One doesn't have to accept the natural-law theories of, say, Princeton's Robert George to be a faithful Catholic—or the international-law theses of Harvard's Mary Ann Glendon, or the just-war accounts of George Weigel, or the Christian capitalism of Michael Novak, or the strong claims of religious America in magazines like *First Things*. Plenty of serious and thoughtful Catholics stand, on ecclesial and theological matters, far to the right of the dominant intellectual form of American Catholicism, and plenty stand far to the left.

And yet, for all of them—left, right, and center—abortion now occupies the moral center of thought about American political issues. Against all odds (if one remembers the utter defeat of Rome's attempt in the 1960s and 1970s to convince American Catholics about birth control), opposition to abortion has triumphed as not just the official, but the *believed*, position of the nation's Catholic churches. Every diocese, even the most liberal, operates a pro-life office, and the majority of parishes offer some pro-life activity.

Of course, there are still a few Catholic commentators who downplay abortion by folding it into a host of other issues. Mark Roche, a dean at Notre Dame, for instance, wrote an op-ed for the *New York Times* during the 2004 election that claimed abortion is the greatest American crime since slavery—though it also somehow forms only a small part of the "seamless garment" of Catholic issues that stretches from the "death penalty, universal health care and environmental protection" to "equitable taxes and greater integration into the world community," all of which demand the rejection of George W. Bush.

For that matter, there are many Catholic politicians—mostly Democrats, though Maine's senator Susan Collins, California's governor Arnold Schwarzenegger, and New York's former mayor Rudy Giuliani are easy Republican examples—who don't just downplay legalized abortion but seem actively to embrace it. Either pandering to the politics of their blue-state homes, or not yet persuaded by Bush's national defeat of Kerry, some of them hold to Mario Cuomo's old line of "personally opposed, but publicly supportive." In the case of such old-line Catholic politicians as Ted Kennedy and John Kerry, it's hard to see much personal opposition at all.

Meanwhile, there are millions of Catholic voters—nominal Catholics, cultural Catholics, cafeteria Catholics, suburban Catholics, soccer-mom Catholics, and many others—who seem unmoved by their coreligionists' struggle against abortion. One quarter of the nation's population identifies itself as Catholic, but probably less than half of those 65 million people are clearly and strongly pro-life. Perhaps only a tenth of them vote strictly on the issue of abortion.

So why all the agitation? The 2004 presidential election saw endless talk about the malignant effect of the Catholic hierarchy's preaching against abortion: editorials in the *New York Times*, talk show after talk show on television, long analyses in opinion magazines. But the fact remains that the vote in the political district of every cardinal in the United States, from Los Angeles to Boston, was won by pro-abortion politicians, usually overwhelmingly. George W. Bush, as the candidate who opposed *Roe* v. *Wade*, may have captured the vote of Catholics as a whole, but John Kerry, the candidate in favor of legalized abortion, won all the cardinals' home towns.

The current fear about Catholics cannot be drawn from the Church's direct political effect, for that well has gone bone dry. In New York City politics, the rectory of St. Patrick's Cathedral was once called "the Powerhouse," but no one has used the name in a generation. Not a single prominent pro-abortion Catholic politician has been successfully brought to heel by the bishops in decades, and for two presidential election cycles, Catholic voters have been more or less indistinguishable from the general run of American voters.

And yet, in another way, everyone who seems so agitated—from the *New York Times* editorial page to Americans United for Separation of Church and State—is right to worry about the nomination of a fifth Catholic to the Supreme Court. Neither John Roberts nor Samuel Alito admitted in his Senate hearings a willingness to overturn *Roe* v. *Wade*. That may have been merely good confirmation strategy, but it is also possible they will prove, as Anthony Kennedy did, unwilling in the end to pull the trigger. The fact that Alito's mother told a reporter her son opposes abortion is no more dispositive than the fact that John Roberts's wife once held a position in a pro-life organization.

But both Roberts and Alito are products of a Catholic intellectual life that has flowered in the years since the Court imposed legalized abortion on the nation. Compelled to moral seriousness by the urgency of the pro-life cause and granted a surprising public prominence by the collapse of the old Protestant mainline, post-ethnic Catholic thinkers have formed an exciting and powerful rhetoric in which to talk about public affairs in a modern democracy. You can see it among an increasing number of professors and journalists. You can see it, perhaps most of all, among lawyers and judges. You can even see it among nominees to the Supreme Court.

That is hardly the same thing as success for the Catholic Church. But it is success, of a sort, for Catholicism. ♦

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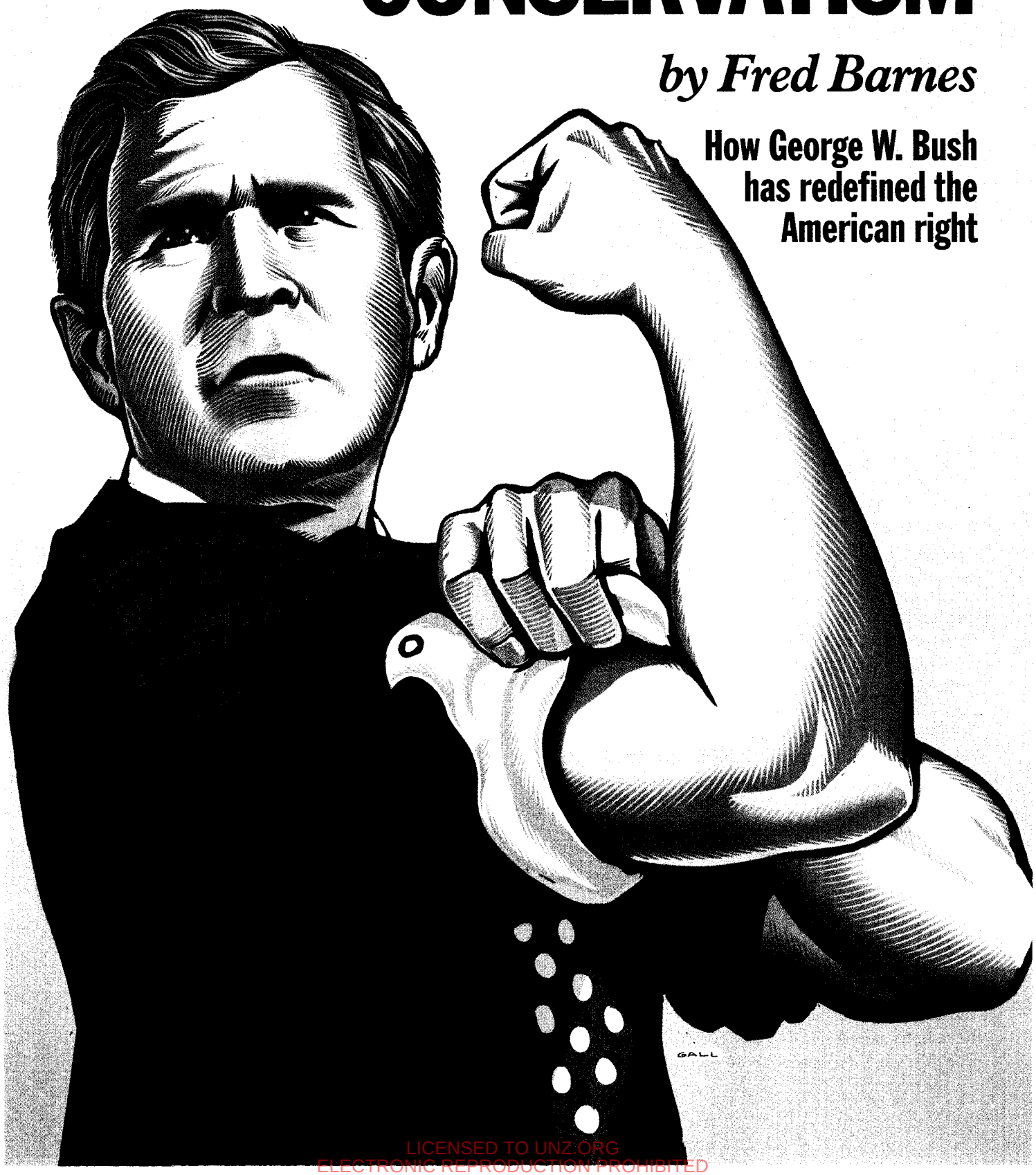
STRONG-GOVERNMENT CONSERVATISM

by Fred Barnes

How George W. Bush has redefined the American right



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A typical conservative believes in three things: small government with low taxes, traditional values, including the sanctity of life, and a hawkish foreign policy. Who's a typical conservative? Tom DeLay, Dan Quayle, and Ronald Reagan fit the description, as do millions of Americans who are actively involved in politics and millions more who are not.

George W. Bush isn't one of them. Often he has sounded like anything but a conservative. He has attracted supporters by appealing to their liberal instincts. Michael Gerson signed up as chief speechwriter after hearing Bush talk passionately about his concern for the underclass. When political consultant Mark McKinnon, a lifelong Democrat, met Bush in 1997, he was struck by how "different from Gingrich" Bush was. Newt Gingrich was House speaker at the time and the country's leading conservative. Bush was governor of Texas. He and McKinnon discussed education reform and charter schools. "It wasn't 'burn government down,'" McKinnon told me. "He saw a limited role for government on issues I cared about. I was disarmed. I liked him instantly." A few months later, McKinnon agreed to become Bush's chief media consultant. He ran the TV ad campaign for Bush in 2000 and 2004. After his reelection, Bush sent McKinnon an autographed picture from the White House. "You may think you're in the ad business," Bush wrote, "but you're really a Realtor who deals in matching the right tenant with a house like this and you've done it twice, much to the benefit of our country and the world."

Measured by the conservative yardstick, Bush can't match DeLay, Quayle, and Reagan. They score 3.0, three for three. Bush gets only a 2.0. Though he is an unabashed tax cutter, he's not a small-government conservative. He favors an activist federal government. And while Bush is an unswerving conservative on traditional values, he is not on foreign policy. He would protect America's national security and its vital interests around the world. So would a typical conservative. The difference is that Bush goes far beyond that limited role and is seeking to plant democracy in countries worldwide, whether they're friendly or hostile to the United States. His democracy campaign has been called "Wilsonian" in its ambition and scope—after President Woodrow Wilson, who promoted democracy in place of autocracy and colonialism after World War I. To a typical conservative, "Wilsonian" is a slur, not a compliment. So Bush gets a half-point on taxes, one point on values, and another half-point on foreign affairs. Not bad, but hardly typical.

Fred Barnes is executive editor of THE WEEKLY STANDARD. *This article is excerpted from his new book,* Rebel-in-Chief, *© 2006 by Fred Barnes, published by Crown Forum, a division of Random House, Inc.*

What kind of conservative is Bush, exactly? He calls himself a "compassionate conservative," and that label is appropriate as far as it goes, which isn't very far. It applies only to a small part of Bush's agenda, the help-the-downtrodden part. Bush added a sentence about training lawyers in DNA evidence to his 2005 State of the Union address just to have something resembling a compassionate-conservative idea in there. He's also been dubbed a "big-government conservative" (by me, in fact, during Bush's first term). That does not mean, as some conservative critics would have it, that he's really a liberal at heart. As seen with the president's "ownership society," Bush does not hope to keep expanding government; rather, he is trying in many cases to increase individual responsibility and thus reduce the demand for government aid and comfort.

That is why Republican national chairman Ken Mehlman refers to Bush as a "demand-side conservative," borrowing a label first suggested by Jonathan Rauch of *National Journal.* But this description, too, has its drawbacks—namely, it does not cover the values or foreign policy aspects of Bush's political philosophy. Calling Bush a "post-Reagan conservative" puts him in the right time frame, but it's too vague.

Bush is blunt in rejecting William F. Buckley's dictum that conservatives should stop the advance of history. When I asked him whether his conservative activism was the opposite of that philosophy, Bush said, "That's right. I think the role of a conservative—I believe strongly in what I stand for—is: Let's lead. We've got enormous influence and we have a chance to effect peace for generations to come. I like to say we're laying the foundations for peace. The walls may be built by somebody else, but you've got to have that good, strong foundation."

The president defended, on conservative grounds, his policy of spending billions to fight AIDS, hunger, and malaria around the world. "We're using conservative principles, results-oriented policy, measurements to determine whether or not the money that we're spending is being spent wisely, because our goal is to save lives, not to enhance bureaucracies." And leading, he told me, doesn't mean "leading alone." It means that "you lead others who are with you. And this requires skillful application of diplomacy."

But Bush's leadership after Hurricane Katrina in 2005 touched off a revolt among conservatives. His answer to the disaster was characteristic: He would use the federal government to achieve a conservative end, a rebuilt Gulf Coast with a thriving economy. Bush would also replace state and local governments as first responders to natural

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disasters, terrorist attacks, or outbreaks of disease by deploying the military. That would require changing federal law. In the past, Washington's job, carried out by the Federal Emergency Management Agency (FEMA), was merely to coordinate recovery efforts, not take them over.

It was the vastness of the president's plan and its staggering cost that alarmed conservatives, some of whom had never warmed up to his emphasis on Washington's solutions. To attract businesses, Bush wanted to turn coastal Louisiana and Mississippi into a federal enterprise zone with reduced taxes and fewer regulations. And besides giving away federal land, he would provide $5,000 in a Worker Recovery Account to every evacuee. To small-government conservatives, the Bush plan was reminiscent of FDR's New Deal or Lyndon Johnson's Great Society. To them, it was one federal intervention too many.

Bush was so fixated on the devastation and suffering in the region that he failed to sense a conservative backlash. He had internalized the criticism that his administration was slow to react to Katrina, though in Louisiana, anyway, the fault lay with the governor and mayor of New Orleans. Bush took full responsibility. Faced with incompetent state and local leaders, he felt he had no alternative. In the weeks after the hurricane, he took eight trips to the region. Only belatedly did he accede to the desire of conservatives for spending cuts to cover some of the Katrina outlays.

Bush's Katrina policy disturbed many conservatives because it seemed so different from traditional conservative policy. And in truth, Bush's conservatism *is* new and different. But with the possible exception of his Katrina relief program, Bush conservatism is not outside the broad mainstream of conservative thinking. In fact, because most of his brand of conservatism has caught on and the remainder is likely to, it's the conservatism of the future.

A New Path

Bush conservatism has had an unexpected political impact. For two decades, Reagan gathered conservatives of every ideological permutation under the umbrella of his conventional conservatism. Now Bush, despite periodic revolts on issues like the Harriet Miers nomination, has united them again under his unique brand of conservatism.

His appeal has even reached to professional athletes. After pitcher Curt Schilling led the Boston Red Sox to victory in the 2004 World Series, he appeared on ABC's *Good Morning America* and blurted out an enthusiastic endorsement of Bush. Then he contacted the president's reelection campaign and offered to help. Red Sox officials (all Democrats) talked Schilling out of appearing with Bush in New Hampshire. "The last thing I want to do is put Curt in an awkward position," Bush told his aides. But Schilling persisted. He joined Bush in Ohio, a critical battleground state, and introduced the president at several rallies. White House communications director Dan Bartlett called Schilling "a stand-up guy."

True believers in the conservative movement have a well-earned reputation for bickering and for grousing about conservative leaders for being insufficiently conservative. M. Stanton Evans, the conservative writer, has a rule of thumb about conservatives who gain political power: Once our friends are in power, they are no longer our friends. Reagan was an exception. Now Bush is, though conservatives feel free to criticize him in a way they didn't Reagan. The enthusiasm of conservatives allowed Bush to gear his reelection campaign around expanding his vote in conservative areas. He didn't compromise his conservatism by making a beeline to the political center. He counted on the wrath of the liberal opposition to drive moderates and independents his way.

But he has alienated certain elements of the conservative movement, especially paleoconservatives led by Patrick Buchanan. They recoil at Bush's internationalism, particularly his decision to invade Iraq, and his fondness for federal spending and for immigrants. Both economic conservatives and libertarians abhor the growth of government under Bush. Nonetheless, these disgruntled conservatives are part of Bush's conservative coalition, if only reluctantly. Bush doesn't take lightly challenges to his conservative credentials. In 1994, while he was running for governor of Texas, the state Republican chairman, Tom Pauken, issued his own welfare reform plan and declared himself more conservative than Bush. Once elected, Bush marginalized Pauken's influence.

There are two keys to Bush's ability to create conservative fusion. The first is an overriding issue. Throughout his career, Reagan had anti-communism. It dwarfed every other issue, including the economy. Bush has the war on terrorism. It is not as towering an issue as combating communism, but it, too, overshadows other issues. Libertarians quibble about the minor First Amendment limitations of the antiterrorist Patriot Act. But conservatives generally agree with Bush's hard-line formulation of a war against terrorists and those who harbor terrorists.

The second key is that Bush's new conservatism has something significant for nearly everyone. For economic conservatives, there are tax cuts that have brought the rates on individual income down to Reagan-era levels—and to still lower levels for capital gains and dividends. For social and religious conservatives, there's Bush's strong opposition to abortion, cloning, and gay marriage. For foreign policy conservatives, at least the idealists

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among them, Bush is a dream come true with his drive for democracy around the world and his reversal of America's policy in the Middle East. For compassionate conservatives, Bush's global AIDS project and his faith-based initiative are lifted from their agenda. For libertarians, there's the fight for Social Security reform, which has united Bush and the Cato Institute, the foremost libertarian think tank. For small-government conservatives, there's not much except the hope that Bush will succeed in moving America nearer to an ownership society that, in turn, shrinks the demand for government services. For paleocons, there's even less to love about Bush conservatism, but they have nowhere else to turn. In any case, they constitute a distinct minority in the conservative movement.

The question about conservatism has always been how much change in society it will tolerate. The underlying principle is that if change is not necessary, it's necessary not to change. Bush has decided change is necessary. As Texas governor, he concluded that public schools required a radical shakeup. At an education forum, Bush parried critics and spoke bluntly. His reform package, he asserted, "is the true conservative position, and if you don't like it you can vote me out of office." He was reelected in 1998.

Rather than abandon conservatism for the sake of change, Bush has redefined it to fit the times and to come to grips with political reality. The president's policy on education is a perfect example. When Reagan came to office in 1980, he proposed eliminating four cabinet agencies. The Department of Education topped the list. But efforts to kill the Education Department failed and proved to be politically counterproductive. Those attempting to get rid of the department were accused of opposing education itself. It was an unfair charge, but it worked to frighten away critics and preserve the department in perpetuity.

Bush wisely chose not to engage that battle anew. Instead, with education standards and student performance declining and public schools dodging accountability, he proposed to use the Education Department to achieve conservative results. His No Child Left Behind legislation violated two conservative principles, local control of schools and minimal federal intrusion, at the same time that it promoted two others, high standards and accountability. The measure was cosponsored by Senator Ted Kennedy, but liberals belatedly realized that it reflected the rudiments of Bush's conservatism. They began demanding, in vain, that it be watered down or repealed. George Will characterized their alternative as "Let's leave lots of kids behind."

The president characterized his education policy as a "classic example" of applying conservative philosophy to "an issue that normally has been ceded to the other party." He suggested that conservatives had foolishly downgraded public education in the past. "The message was, at times, public education isn't important," Bush told me. "We said public schools are important, they've been really important throughout our history, let's make them better, as opposed to saying let's abolish them." On this issue, he said, "I hope people say this is the guy who can think through problems and figure out ways to put in place something that causes positive results."

What Would Reagan Do?

Bush doesn't wear a bracelet with "WWRD" engraved on it, but he's a great admirer of what Reagan did and said. In his memoir *Taking Heat*, former press secretary Ari Fleischer said he once chastised Bush for oversimplifying the war on terror as a struggle of "good versus evil." Bush strongly disagreed. "If this isn't good versus evil, what is?" he asked. Bush reminded Fleischer of the message Reagan sent to Soviet leader Mikhail Gorbachev when he visited the Berlin Wall. "He didn't say put a gate in this wall. He didn't say take down a few bricks." Reagan said, "Mr. Gorbachev, tear down this wall." Bush thought Reagan had spoken clearly and concisely and had distinguished right from wrong. "That was Reagan's style," Fleischer said. "It's Bush's too."

In transforming conservatism, Bush's policies are, more often than not, what Reagan would have done in similar circumstances. Reagan, after all, was not a standpat conservative. He made conservatism more assertive, populist, and optimistic. He rejected the fiscal conservatism of balanced budgets in favor of supply-side tax cuts. He readily tossed aside the arms-control policy of previous Republican presidents and wholeheartedly championed antimissile defense in his Strategic Defense Initiative—or Star Wars, as his opponents called it. When Reagan met with Gorbachev in 1986, he boldly proposed to abandon all nuclear weapons in one swoop rather than laboriously negotiate reductions. And he, like Bush, gave up on abolishing cabinet departments once that task looked impossible.

Bush is not a Reagan clone. But comparing him with Reagan, the conservative standard-bearer, is a way of assessing how conservative Bush truly is. So what would Reagan have done in the twenty-first century to trim the size of government and make it smaller? The answer is just what Bush has done: next to nothing. The only difference is that Reagan famously proclaimed that government was the problem, not the solution. But after gaining $35 billion in spending cuts in 1981, he gave up the fight. Reagan had a tacit agreement with congressional Democrats that he would go along with their domestic spending

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increases if they'd approve his defense spending hikes. And the federal government, in terms of spending, grew. David Stockman, Reagan's budget chief and a small-government zealot, found himself on the losing end of arguments over spending cuts. He was so disillusioned that he declared, in the subtitle of his 1986 book, that "the Reagan revolution failed." For Reagan, winning the Cold War trumped everything else.

Bush has never proclaimed himself a small-government conservative and hasn't ridiculed government bureaucrats as Reagan regularly did. He has explained his policy as favoring all the government that's required and no more. That leaves a lot to Bush's discretion. He prides himself on using his political capital rather than conserving it. He believes in investing his capital, as he's doing with the ownership society, with the expectation of reaping a gain later. But he hasn't spent that capital on terminating any federal agencies or programs. Reagan would not have liked the costly Medicare prescription drug benefit that Bush pushed through Congress. But Bush at least won an expansion of health savings accounts, which gives consumers more choice, and more competition in health care markets, beginning in 2010. Would Reagan have acquiesced on Medicare? Probably.

The truth is that conservative presidents frequently get a pass from conservatives on increased spending. Reagan knew this, and Bush knows it too. And there's a simple explanation: With a conservative in the White House, discretionary federal spending tilts in favor of programs—defense, in particular—that conservatives approve of. "Government funding of effective teen abstinence programs is different from government funding agencies that hand out condoms to kids," a Bush aide told me. "Supporting adoption centers is different from supporting abortion clinics. Supporting antidrug efforts is different from supporting medical marijuana initiatives."

Bush has learned, however, that conservative leaders don't *always* get a pass on spending. Conservatives in Congress and the media finally rebelled when he proposed a $100-plus billion recovery program after Hurricane Katrina. The Republican Study Committee in the House of Representatives, led by Mike Pence of Indiana, claimed that the president could offset some of the cost of the recovery by cutting more than $102 billion. In the Senate, six Republicans suggested a freeze in spending that would save nearly $50 billion. Conservative columnists were scathing in criticizing Bush's penchant for spending. Peggy Noonan called the president's disaster relief effort a "boondogglish plan" and suggested that Republican leaders were beginning "to spend like the romantics and operators of Lyndon Johnson's Great Society." Jonah Goldberg wrote that he hoped the backlash against the lavish price tag for Katrina repairs might snuff out Bush's idea of compassionate conservatism.

Still, most of the president's conservative critics would recognize that, on taxes, Bush is Reagan redux. Bush has invoked the same supply-side language as Reagan, promising that his tax cuts would spur the economy and let people keep more of their own money. Reagan first cut taxes, then went for sweeping tax reform—ditto Bush. Reagan ultimately cut the top tax rate on individual income to 28 percent. Bush hasn't yet matched that, lowering the rate to 35 percent. But he's out-Reaganed Reagan by reducing the bottom rate for individual taxpayers to 10 percent and the rate on capital gains and dividends to 15 percent. Neither Bush nor Reagan was swayed by apocalyptic talk about the deficit. Both concluded that a growing economy was more important than deficit reduction.

On two central issues, Bush is actually more conservative than Reagan. In 1981, the Reagan White House put together a Social Security reform plan to eliminate the minimum benefit for thousands of Americans and raise the retirement age. When the Senate passed a unanimous resolution condemning it, Reagan backed off. In 1983, he accepted a shortsighted Social Security solvency plan that increased the payroll tax and raised (gradually) the age of eligibility for full retirement benefits. Bush now confronts a system that will slip into the red by 2017. And his solution is far bolder than anything Reagan endorsed or even thought seriously about. Bush would brake the growth of benefits for the better-off and allow everyone, rich or poor, to use part of what would otherwise be Social Security taxes to invest in financial markets. This is a revolutionary approach of the sort that Reagan would surely endorse. It not only relies on the free market, it also gives individuals more choice over how to handle their own money. Free markets and individual choice were Reagan staples. On Social Security, Bush is Reagan's rightful heir.

The same is true on social issues. Reagan was a prolifer who spoke passionately, but not often, against abortion. Bush is much the same: He favors a ban on abortion, as Reagan did. Bush has also been confronted with three issues that Reagan was not: embryonic stem cell research, cloning, and gay marriage. Bush has opposed all three. On stem cells, he has increased the federal subsidy for research but refused to broaden the subsidy to cover a never-ending supply of embryonic stem cell lines. The fact that Nancy Reagan took exception to Bush's refusal was not indicative of what Reagan himself would have done. She was always less conservative than her husband, emphatically so on social and values issues. On cloning, there's little doubt Reagan would have firmly opposed it, even the euphemistically named "therapeutic" cloning. As for gay marriage, that's more doubtful. Bush is squeamish

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on the subject. He doesn't like to discuss the issue at all, much as his father hated talking about abortion. Bush was reluctant to call for a constitutional amendment to preserve traditional marriage. But he did. Reagan might not have. The bottom line: On social issues, Bush's conservatism trumps Reagan's.

On national security, Bush is indisputably Reagan's successor. Like Reagan, he's a moralist and an idealist. Reagan vigorously took on the greatest threat to America's security in his time, communism. Bush has unhesitatingly taken on the greatest threat in his, Islamic terrorism. Reagan aided insurgencies in countries that had fallen into the Soviet orbit—Nicaragua, Afghanistan, Angola—but was selective in pushing for democracy. He subjected nondemocratic allies in the Cold War to minimal pressure, though he believed that only democracies were legitimate states. Bush has made the pursuit of democracy universal. Reagan left office before the collapse of communism and the end of the Cold War. But the logical next step—for a conservative president, anyway—would have been a global push for democracy. That would advance America's national security interests and aid the war on terror. No doubt Reagan would have taken that step, just as Bush has.

Choice, Accountability, and Freedom

Passing the Reagan test with flying colors doesn't guarantee that Bush's redefinition of conservatism will endure. Absent a tough-minded conservative in the White House, the federal bureaucracy can marginalize policies it dislikes and discourage supporters of those policies. State Department officials tried to do just that with Bush's policy on Iraq and the use of force. "They were oftentimes not engaged in support of the policy," a senior White House official who confers with Bush daily told me. "Ambassadors who were instructed to get out there in their capitals and actively support the policy, publicly and so forth, talk about it with the press and so forth, refused on the grounds they didn't agree with the policy. They refused direct instructions to go out and support and sell the policy. . . . You didn't have the [State] department teed up and actively and aggressively supporting the policy. We didn't have effective, articulate spokesmen out there saying this is the right thing to do, this is what we're doing, and this is why we're doing it." And this near-mutiny occurred under a strong conservative president.

Yet there's reason to believe the Bush approach to foreign policy and key domestic issues, and his use of government, will stick as key elements of the conservatism of the future. The president has responded to public opinion. Bush conservatism makes political sense—and it works.

Bush vowed during his 2000 campaign that America would adopt a humbler foreign policy. And he tried it for nine months. It didn't work. The elites of the world—Europeans, Middle East dictators, leftist leaders—complain when the United States exerts its influence. The masses don't. They have gained enormously from Bush's post-9/11 policy of waging war on terrorism and demanding democratic change. The list of countries that are moving toward democracy (sometimes only inching) or have already arrived is growing: Afghanistan, Iraq, Ukraine, Lebanon, the Palestinian Authority, Egypt, Pakistan, Saudi Arabia, Kuwait. Bush has won the argument over whether democracy is appropriate for Arab and Muslim countries. And even many doubters are coming to agree with his insistence that democracy is the best assurance of America's security. Both realist and liberal critics claim that there's no guarantee newly created democratic countries will elect pro-American or neutral governments. Bush's response: They usually do.

A conservative successor in the White House might relax the intensity of Bush's global crusade for democracy and moderate America's role as the world's policeman. But change the policy altogether? The only alternatives are a return to Bush's initial policy of humility, which failed, or to President Clinton's reliance on multilateralism, which also failed. With the terrorist threat lurking for generations, the Bush policy is the only viable option.

On domestic issues, Bush's policies are likely to endure even where they depart from traditional conservatism. That is because Bush conservatism reflects, and responds to, the political realities of contemporary America.

Consider, for example, the controversial issue of immigration. Bush does not agree with the many conservatives who favor a massive buildup of guards along America's southern border or those who advocate denying government services to illegal immigrants and their families. While campaigning for president in South Carolina in 2000, Bush was angered by several voters at a town hall meeting who called for draconian measures against immigration. "Family values don't stop at the Rio Grande River," he said, surprising the crowd. "If you're a mother and father with hungry children, you're going to try to put food on the table. That's reality. That's called love." Bush has been steadfastly pro-immigrant for years. In 1994, he went out of his way to express opposition to the ballot referendum in California called Proposition 187, which sharply curtailed access to public services for illegal aliens. (California voters approved it handily.) At a White House meeting on immigration in 2005, "the pres-

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ident spoke more passionately than I've ever heard him on any issue," an aide told me. Bush's remedy would allow thousands of immigrants to work in the United States in hopes that this would curtail border crossings by illegal aliens.

Despite being at odds with many fellow conservatives' views, Bush's immigration policy is likely to stick. The politics of immigration, more than Bush's sentimental view of immigrants, make it so. Hispanics are the fastest-growing voting bloc in the country, and in recent elections the Hispanic vote has been drifting to the Republican party. Bush's percentage of the Hispanic vote in 2004 was 44 percent, up from 35 percent in 2000. Many Hispanics identify with the cultural conservatism, entrepreneurial spirit, and patriotism of Republicans. But they also want to feel welcome in America, and Proposition 187 drove a wedge between Hispanics and the Republican party. Bush and his brother Jeb, the governor of Florida, have fought to make the party inclusive and remove the wedge.

In his 2002 reelection campaign, Jeb Bush broadcast a powerful TV ad that flashed Latin American flags, after which Bush came on the screen and said how happy he was so many Hispanics had come to America and become citizens. When the ad was shown to Hispanic focus groups, the participants asked to see it again and again. Jeb Bush won the Hispanic vote overwhelmingly. At the national level, the Republican majority coalition is dependent on preserving a solid share of the Hispanic vote. This alone means that a pro-immigrant policy is likely to be a lasting Bush legacy.

Politics is also at the center of Bush's education policy. For decades, education was regarded as a Democratic issue. Bush changed that. By concentrating on education reform as Texas governor and president, Bush neutralized the Democratic advantage. He remade Republicans as the party of reform by using the Education Department the same way a conservative president routinely uses the Treasury Department or the Defense Department—to achieve conservative ends. He's made the right enemies: the two teachers' unions and other enemies of accountability. It makes no sense for conservatives to roll back that policy now to accommodate a small-government theology that may work in theory but, on education, hasn't in practice.

One of the strengths of conservatives is their ability to take the world as it really is. Nonetheless, many conservatives cling to the hope that someday, somehow, the federal government will be substantially reduced in size. This is a fantasy, or at least a goal for the far-off future. The possibility of smaller government has been tested twice in the past quarter-century, first with the Reagan Revolution following the 1980 election, then with the Gingrich Revolution after 1994. Both revolutions led to a single year of meaningful spending cuts, then a return to sizable annual increases, with departments and agencies targeted for extinction still intact. Reagan and Gingrich failed for lack of public support. As George Will has pointed out, a conservatism that advocates a strong role for government—Bush-style conservatism—is now "the only conservatism palatable to a public that expects government to assuage three of life's largest fears: illness, old age, and educational deficits that prevent social mobility." As Will suggested, the traditional measurement used to separate Democrats from Republicans—"big" versus "small" government—simply doesn't work well any longer.

Bush and his aides have embraced an insight lost on some other conservatives: What matters is not how big government is but what it does. Liberal policies caused dependency, a Bush official told me, "and in the process corroded the character of the citizenry." But Bush realized that a conservative president can use government policies to expand personal freedom, a conservative virtue. His reforms to create voluntary investment accounts in Social Security and health savings accounts in Medicare aim to do that.

A fair question, though, is whether Bush conservatism is philosophically coherent. Proposing to reduce Social Security's unfunded liability, as Bush has, just after ballooning Medicare's with a prescription drug benefit is hardly coherent. Nor does it make sense to sign a lavish farm subsidy bill, which Bush did, while advocating fiscal restraint. The coherence rests with the three words and one institution that sum up Bush conservatism. The words are *choice*, *accountability*, and *freedom*. The institution is a strong national government. These themes hang together and constitute a sensible new conservatism.

The choice thread runs through Bush's domestic policies. Their aim is to create more individual choices in the major decisions of one's life. Through tax cuts and tax reform, an individual would have more control over his own income and how to spend it. With Social Security reform, an individual would choose how to invest part of his payroll taxes. With health care reform, an individual would choose his insurance and where and how much to spend on medical care. Education reform allows individual parents, in limited cases, to choose an alternative to a failed school. Lifetime savings accounts would give individuals more choice in how much to save and when and how much to spend. The expansion of choice is consistent with modern trends. The 401(k) and IRA revolution has changed the way individuals save, invest, and finance their retirement. They choose, employers don't. The Bush revolution in domestic policy means individuals would choose, not government.

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Institutions shun accountability, none more than America's public school system. School boards and administrators and teachers don't want to be graded on the basis of the performance of students. It's easy to see why: Student performance has nose-dived. Also, unions as a rule oppose anything that has union members competing against one another. Bush's education package, with required testing of elementary school students, would hold education officials accountable. The reasonable assumption is that accountability will lead to improved teaching and learning. Bush has also expanded competitive bidding for federal government work now done by more than 450,000 bureaucrats. This is a way of holding them accountable. If they can't measure up, their jobs will go to the private sector. And the president has injected accountability into his foreign policy. Nations are held accountable for moving to democracy—often in public, by the president or Secretary of State Condoleezza Rice. Bush said in early 2005, "We will consistently clarify the choice before every ruler and every nation, the moral choice between oppression, which is always wrong, and freedom, which is eternally right." With Bush, results matter. And accountability is a means of producing good ones. He and Rice have made it clear to leaders like Hosni Mubarak of Egypt and Vladimir Putin of Russia that the closeness of their relationship with the United States will depend on their support for democracy.

For presidents, freedom is normally a watchword and an ideal. For Bush, it's a policy and a doctrine: The more freedom for individuals at home and abroad, the better for America and the world. It's especially applicable to the Middle East. Attempts to impose stability there without freedom have failed. "The core of [Bush's] doctrine rests on the president's belief that stability cannot be purchased at the expense of liberty," explained Peter Wehner, the director of the White House Office of Strategic Initiatives, in a speech to the Hudson Institute in Washington. "As long as the Middle East remains a place where freedom does not flourish, it will remain a place of stagnation and resentment, a cauldron of anti-Western hatred and violence."

Bush has fashioned a theory of democratic elections. Even if, as his critics claim, elections aren't the same as democracy, he believes the process of holding elections produces the building blocks of democracy—political parties, civic habits and institutions, an engaged electorate, an active press, and the delegitimization of the enemies of democracy. When I asked the president about his views on this subject, he said that elections are only "the beginnings of democracy" but that the importance of those beginnings should not be overlooked. Even in the short term, he argued, elections have a powerful effect, since they offer "a way for people to defy killers without using weapons." Moreover, he said, elections build "civic structure" and also "affect the psychology of a country" because they "raise hopes." Bush stressed that "democracy takes a while," which is something that critics fail to realize because "we're living in impatient times," he said. "Of all people who should be patient about the development of democracy, it's America," he told me. "It took us a long time, and we're still working on it. That's the great thing about democracy."

"Not since Lincoln has the putative head of the Republican party so actively sought to ground the party in a politics of natural right," wrote political scientists James Ceaser and Daniel DiSalvo in the influential quarterly the *Public Interest*. That natural right is freedom.

Trying to categorize Bush conservatism is difficult but not impossible. Over three decades, Bush has been ahead of other political leaders in attaching himself to some extraordinary ideas. Bush broached Social Security reform for the first time when he was running for the House of Representatives in 1978 (and losing). Education reform was a product of his campaign for governor of Texas in 1994. The emphasis on individual choice grew out of his presidential campaign and first White House term. No doubt partly from watching his father flounder in the presidency, Bush seized the idea of a strong national government led by a commanding president.

In his 1999 campaign autobiography, *A Charge to Keep*, he described the role he expected to play as president. "My job is to set the agenda and tone and framework, to lay out the principles by which we operate and make decisions, and then delegate much of the process to [my staff]," he wrote. Put succinctly, it meant that Bush would be in charge of everything except details. He has been. He has thwarted terrorism, changed parts of the world forever, dominated Congress, curtailed federalism, won fundamental reforms, and treated critics as a nuisance—all of it made possible by a strong national government. "It's possible to believe in a limited government that is also strong," the Republican National Committee's Ken Mehlman told me. Bush believes that, and in this regard he is more the heir to Alexander Hamilton than to Thomas Jefferson.

Bush, then, is best characterized as a strong-government conservative, a label coined by journalist and speechwriter Dan Casse. Given Bush's influence, many more conservatives will adopt that label and the ideology that goes with it. After all, it was on Bush's watch and because of his assertive leadership and special brand of conservatism that Republicans became America's majority party for the first time since the 1920s. ♦

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Lynn Cohen as Golda Meir in *Munich*

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Celluloid War

The couch potato's guide to terrorism

By Martha Bayles

The PR for Steven Spielberg's *Munich* has been deftly engineered. First, the film blends pro-Israel romance, moral equivalence with the Palestinians, and artistic pretension in just the right proportions to stir controversy among the chattering/blogging classes. Second, *Munich* makes a great pretense of probing some of the grave moral dilemmas raised by terrorism and counterterrorism. Indeed, Spielberg says that instead of being "a morality play," his film is "like the Talmud . . . a structured series of arguments."

Grimacing reader, please note that it is Spielberg, not I, comparing *Munich* to the Talmud. In truth, the film's "arguments" could not be less structured. Consisting mostly of dinner-table banter, they whiz by so fast, they make MSNBC's *Hardball* look—well, Talmudic. The most basic dilemma raised by the murder of eleven Israeli athletes at the 1972 Olympics and its aftermath is why Israel chose to kill the perpetrators rather than seek their arrest and expedition. This question is tossed out in the frantic, overwritten scene where the young Mossad officer is being recruited. But Golda Meir's reply—"We've got to show the world we are strong"—does not explain her decision to circumvent due process.

As befits a Hollywood eminence, Spielberg worries about violence. To judge by *Munich*, his most pressing worry was how to make the violence in

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Everett Collection

George Clooney as Bob Barnes in Syriana.

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Munich thrilling enough to compete with a dozen other Christmas-Chanukah-Kwanzaa-Saturnalia releases. In part, this is done through *sforzando*, the musical device of abruptly goosing the volume whenever the mayhem starts. One bombing, in particular, will make you jump clear out of your seat.

The next worry cuts deeper. Does violence corrupt the soul, even when its use is limited to an eye for an eye? The Biblical law of retaliation (*lex talionis*) was originally a restraint: an eye for an eye *and no more*. When Israel has dispensed with this law, it has done so on the ground that a tiny, vulnerable nation must repay every injury with a greater one: "an eye for a tooth," the saying goes. While many believe this strategy to have been effective against Israel's neighboring Arab states, the jury is still out on how effective it has been against the Palestinians. No wonder Spielberg and his screenwriter Tony Kushner claim credit for tackling it.

The trouble is, they don't. Despite passing references to the airstrikes and military raids that followed the Munich massacre, the film focuses tightly on Avner's team as they move about Europe, taking pains not to hurt anyone not on their list of approved targets (at one point, they debate the righteousness of shooting two bodyguards). Are their souls being corrupted? An answer is hinted by the subplot in which Avner and Carl (Ciaran Hinds) meet a seductive woman in an Athens hotel. After the woman lures Carl to her room and murders him, the others track her down and, ambushing her in her Netherlands houseboat, pump bullets into her half-naked body.

Some have derided this scene as gratuitous. But that, I fear, is the point. The scene is meant to evoke the deep, dark connection between eros and war. Unfortunately, it succeeds no better than the later sequence that cross-cuts between Avner banging away at his wife (sorry, but that's the only way to put it) and the Munich terrorists banging away at their victims. After watching these doltish attempts at profundity, I recommend that for their next collaboration, Spielberg and Kushner make a musical about E.T.

Most of the pundits debating the world-historical significance of *Munich* are seated on such high horses that they rarely lower their sights to the homely medium of television. If they did, they'd find two far more gripping treatments of terrorism and counterterrorism. The first is *24*, now starting its fifth season on the Fox Network. The title comes from the gimmick of having each hour-long episode "occur in real time," and except for a few plodding bits about the personal lives of Jack Bauer (Kiefer Sutherland) and his fellow agents at the Los Angeles branch of the fictional U.S. Counter Terrorism Unit (CTU), *24* is addictively suspenseful.

It is also timely. Long before warrantless surveillance hit the headlines, *24*'s geek warriors were monitoring every imaginable electronic communication and sweeping every conceivable database, with nary a FISA judge in sight. In fact, *24* could use a few money shots of the Capitol and Supreme Court because the country it portrays is a California-based dictatorship ruled by an all-powerful chief executive and his trusty head of secret police. If the ACLU hasn't picked up on this, it is doubtless because, for most of the show's run, the commander in chief is David Palmer (Dennis Haysbert), a principled African-American Democrat.

Whenever extra-legal action is required, Jack Bauer performs it (in the resonant phrase often heard on the show) "by direct order of the president." In the fourth season, Palmer is replaced by a white Republican with no more sense than to work through the bureaucracy, so Jack must become even more of a lone wolf. Of course, not even Dirty Harry could fight 21st-century terrorists without technical assistance, so Jack enlists Chloe O'Brian (Mary Lynn Rajskub), a nerdy young woman whose computer skills are as vital to the country's survival as any field op's derring-do. For viewers who spend most of their waking hours in front of a screen, it is gratifying to know you can be a hero without going offline.

But cyber-eavesdropping is not the only extra legal action dramatized in *24*. When imagining a nuclear bomb about to explode in L.A., or a weaponized virus about to be released in eleven major cities, we welcome Jack's Odyssean alertness, courage, and cunning. But it is harder to swallow his readiness to torture. For most of its history, American entertainment has depicted torture as pure evil. So it is jarring to see it routinely ordered, even inflicted, by the good guys.

For those who find torture neither useful nor entertaining, there is *Sleeper Cell*, the ten-part series now in its second run on Showtime. If *24* was clever to make its president an African-American Democrat, then *Sleeper Cell* is doubly clever to make its FBI undercover agent an African-American Muslim. And while *24* intoxicates us with sleek facilities and futuristic technology, *Sleeper Cell* sobers us with tacky FBI field offices and decrepit gear. To sum up the difference: Agent Darwyn al-Sayeed (Michael Ealy) may be a maverick like Jack, but his cell phone doesn't speed-dial the president.

By the same token, Darwyn doesn't do torture. On the contrary, it is mental torture for him to witness the cruelty of his cell leader, an obsidian-smooth Egyptian named Faris al-Farik (Oded Fehr) without intervening. One of the strongest arguments against torture was made recently by Vladimir Bukovsky, who spent twelve years in the Soviet gulag: "Torture is the professional disease of any investigative machinery. . . . Investigation is a subtle process, requiring patience and fine analytical ability, as well as a skill in cultivating one's sources. When torture is condoned, the rare talented people leave the service . . . and the service itself degenerates into a playground for sadists." *Sleeper Cell* is a ten-hour illustration of the superiority of human intelligence.

When it comes to portraying the terrorists themselves, both programs blink. It took *24* four years to summon the nerve to make the bad guys radical Islamists. In the first season, they were vengeful Serbs; in the second, Islamists fronting for an American oil tycoon bent on war in the Middle East; in the third, Mexican drug lords

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Paradise Now: *Reasons of the heart and mind?*

fronting for a vengeful ex-MI6 agent. Only last year were they Islamists, and even then, their religious convictions were downplayed and blurred. For all its boldness about methods, *24* is timid about motives.

Not so *Sleeper Cell*. At one point Darwyn says that his parents divorced because his father was Nation of Islam and his mother Sunni: "The two cannot exist under the same roof." His disdain for his father's racist pseudo-Islam goes a long way toward explaining his commitment to fighting the infinitely more dangerous pseudo-Islam of Farik, and there are several subplots dramatizing the difference between faith and fanaticism. Yet the price of making the hero a sympathetic American is making the cell an English-speaking experiment in international living. Farik's motley crew are entertaining (my favorite is Tommy, the son of a neurotic Berkeley feminist) but not very authentic.

For authenticity we must return to the big screen, where three films have recently probed the psychology of suicide bombers. The first is *Syriana*, whose pretzeled plot begins with an idea so simple, even Michael Moore could grasp it: The root of all evil is the American devil, Big-Oil-Ze-Bub. Serving Big-Oil-Ze-Bub are the usual gilt-edged attorneys, greedy politicians, gimlet-eyed techno warriors, and playboy Arab princes. Opposing him are a burnt-out spy (George Clooney, who else?) and a lone progressive Arab prince (Alexander Siddig).

Big-Oil-Ze-Bub has all the moves, naturally, and as the bodies pile up, they include two young migrant laborers from Pakistan who, after losing their oilfield jobs, get recruited by a charming imam who mentors them in suicide bombing. This subplot is so vivid, one wishes it were the whole film. But then *Syriana* would not be able to deliver its overall message, which seems to be that justice in the Arab world depends on selling oil to the Chinese instead of the Americans. Presumably, environmental damage, unfair labor practices, and terrorism would not occur under the enlightened management policies of Beijing. (Or is it just that we'd be spared hearing about them under the enlightened media policies of Beijing?)

In one of those odd pairings dreaded by artists, two movies about suicide bombing came out simultaneously this fall: *Paradise Now*, by the Palestinian director Hany Abu Assad, and *The War Within*, made by Joseph Castelo, Ayad Akhtar, and Tom Glynn, three recent graduates of the Columbia University film school. In the contest for box office and reviews, the winner was *Paradise Now*, which is puzzling, because *The War Within* is both more truthful and more troubling.

Paradise Now has the ring of authenticity, having been filmed with great difficulty in the war-torn city of Nablus. (At one point, an Israeli rocket sent six German technicians packing, and the production relocated to Nazareth.) But the characters, two young Palestinians sent by an unnamed organization on a "martyrdom operation" in Tel Aviv, ring less true.

Said (Kais Nashef) and Khaled (Ali Suliman) are semi-employed auto mechanics—ill-kempt, and a bit too fond of the hashish—who clearly fear and hate the Israelis. In addition, Said is ashamed of his collaborator father. But are these reasons enough to turn terrorist? Before being summoned, Said and Khalid never fast, pray, attend martyrs' funerals, or serve the organization. Their families do not support their mission; on the contrary, their parents seem totally oblivious to it. And if their community is gripped by a culture of death, the film does not give any evidence of it. Why, then, do these shaggy slackers suddenly morph into human bombs?

For answer we get speeches. Said and Khaled argue with Suha (Lubna Azabal), the beautiful daughter of a renowned martyr who was born in Paris and urges a peaceful solution. Khaled videotapes a final statement

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that, by avoiding religious language and focusing on political grievances, would play at any anti globalization rally. When things go wrong and Said proceeds alone, his motivation is more psychological than ideological. And back in Nablus no one celebrates; they weep. How tragic, say the audience, putting on their coats and heading home for a good night's sleep.

If it's sleep you want, then stay away from *The War Within*, the first film I've seen in years that could reduce an entire theater to stunned silence. Instead of Nablus or even Los Angeles, this movie brings it all back home to Manhattan. Hassan, a young Pakistani (Akhtar), is wrongfully arrested in Paris by the CIA and rendered to Pakistan for interrogation. While undergoing torture, Hassan is recruited by his cellmate to the Brotherhood, a radical group that three years later sends him to New York to blow up Grand Central Station.

Like *Paradise Now*, *The War Within* is weak in showing how suicide bombers are recruited. (One source at the FBI tells me that torture victims almost never take that path.) But the film is strong in dramatizing our fears —or rather, systematically defeating our hopes. One reviewer accused it of "wearing clichés like concrete boots," but it does so deliberately. After some initial grimness, Hassan's arrival is warmed by the welcome he receives from Sayeed (Firdous Bamji), a boyhood friend who is raising his family in the classic hard-working immigrant mold.

"America is a great country," Sayeed says.

"It's OK for infidels," replies Hassan in Urdu.

"What does that word mean?" asks Sayeed's young son, Ali (Varun Sriram).

Musing, his father says, "I haven't heard that word in a long time."

Without a single bugle note, this brief exchange activates a deeply ingrained form of American patriotism: the expectation that, like all those other poor, sick, tired, huddled masses before him, Hassan will soon shed his bitterness and become a loyal citizen. Unlike his former cellmate, whose encounter with New York consists of strip joints, prostitutes, and booze, Hassan gets a job, meets a friendly Jewish family, enjoys the modest comfort of Sayeed's home, and falls back in love with his childhood sweetheart, Sayeed's sister Duri (Nandana Sen). We know in our bones that this tragedy will have a happy ending.

But it doesn't, and therein lies *The War Within*'s unsettling power. Instead of opening up to the blessings of America, Hassan rejects them one by one, retreating ever further into his Islamist shell. He even rejects what to Hollywood is the ultimate blessing: great sex with a gorgeous partner. When Duri tries to make love to him, he resists with a spiritual fortitude that is downright anachronistic. Finally, and most chillingly, he draws Ali into his orbit. However we might wish to defend today's consumer youth culture, it has little to offer a serious-minded child. So, by the genuinely tragic ending, it appears that Hassan has made a convert.

The politics of *The War Within* are clearly leftist, and conservatives will find much to question in its basic assumptions. But of all the films and programs discussed here, it is the most unsparing and challenging. It is a sad comment on the state of popular culture that it is also the least well known. ♦

Transformation

The changing requirements for victory on the battlefield.

BY MACKUBIN THOMAS OWENS

The late Harry Summers, author of *On Strategy*, an influential but controversial book about the Vietnam war, used to tell the following anecdote. When the Nixon administration assumed responsibility for the war in 1969, the analysts at the Pentagon fed all the available quantifiable data related to both the United States and North Vietnam into a powerful Cray computer. Then they asked the computer, "When will we win?" The computer whirred for about 30 seconds and spat out its answer: "You won in 1964."

Military Power
Explaining Victory and Defeat in Modern Battle
by Stephen Biddle
Princeton, 312 pp., $37.50

Of course, Vietnam proved beyond a doubt that success in war depends upon more than economic power and an edge in technology. Clausewitz pointed to the importance of "moral factors"—fear, the impact of danger, and physical exhaustion—observing that "military activity is never directed against material forces alone; it is always aimed simultaneously at the moral forces which give it life, and the two cannot be separated."

While the United States has recovered from its defeat in Vietnam, and now sits at the pinnacle of world power, critics of U.S. defense policy suggest that we persist in favoring material over nonmaterial factors in preparing for our wars.

There is no question that Pentagon planners focus heavily on one material factor in particular: the role of technology. For the last decade, Department of Defense planning documents have advanced a vision of future war shaped by technological innovation, especially vast improvements in informational technologies. A decade ago, the term was "revolution in military affairs" (RMA). Today it is "transformation." A recent Pentagon publication, *Transformation Planning Guidance*

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(2003), provides a template for transforming current military forces, shaped by the demands of the Cold War, into:

> information age military forces [that] will be less platform-centric and more network-centric. They will be able to distribute forces more widely by increasing information sharing via a secure network that provides actionable information at all levels of command. This, in turn, will create conditions for increased speed of command and opportunities for self-coordination across the battlespace.

Such writings reinforce the claim that technology is the central driver of the Defense Department's transformation strategy.

Stephen Biddle's *Military Power* calls the Pentagon's focus on technology into question, developing a theory of military power that stresses the importance of "force employment" as the key to success or failure in war, as opposed to such traditional factors as technology and preponderance.

I first became aware of Biddle's work when he published an important essay in a 1996 issue of *International Security* entitled "Victory Misunderstood: What the Gulf War Tells Us About the Future of Conflict." He argued that the main cause of the one-sided coalition triumph in the Gulf war was not, as the advocates of RMA claimed, technology *per se* but the skill differential between the coalition forces and those of Iraq. He demonstrated that the allies' technological edge served primarily to punish Iraqi operational and tactical errors, thereby magnifying the skill differential between the two sides.

Biddle's research led him to broaden and generalize the issues he had raised with regard to the Gulf war. What are the causes of victory and defeat? How does a state maximize its chances of victory while minimizing casualties? Is there something about modern war that has changed the answers to these questions? Such questions, Biddle observes, are matters of life and death affecting everyone "from infantrymen on the battlefield to office workers in the World Trade Center to entire nations and peoples."

Unfortunately, the answers to such questions have left much to be desired.

Bettmann / Corbis

Prepared for a German gas attack, 1917

In 1991, for instance, congressional debate about the use of force to expel Saddam Hussein from Kuwait hinged to a great extent on the likely casualties that the United States would suffer. Yet all the analyses used to ascertain U.S. losses radically overstated the numbers: The closest estimate was wrong by a factor of two; the majority of predictions were off by more than an order of magnitude.

The Gulf war debate was hardly unique. In 1914, Europeans expected a short, decisive war of movement. In 1940, observers were astonished by Germany's rapid defeat of France. Neither Arabs nor Israelis expected anything like the staggering losses of the 1973 war. "We must and can do better," says Biddle. "But real improvement will require a new approach" that avoids the shortcomings of the current state of the art: analysis that is either rigorous but narrow, or broad but un-rigorous. Biddle contends that the key determinant of battlefield success or failure is force employment—the doctrine and tactics that govern the operations of a state's military force.

He takes aim at a key claim of transformation/RMA advocates: that today's battlefield is qualitatively different from battlefields of the past. Biddle contends that "since at least 1900, the dominant technological fact of the modern battlefield has been increasing lethality." Technological change since 1914 has only increased the range over which exposure to fire can be fatal.

To execute missions on such a battlefield, a military force must reduce its exposure. Since 1918, the central means of doing so has been what Biddle calls "modern system force employment"—a "tightly interrelated complex of cover, concealment, dispersion, suppression, small-unit independent maneuver, and combined arms at the tactical level" (the level of combat at which battles are fought) and "depth, reserves, and differential concentration at the operational level of war" (the level of war concerned with the conduct of campaigns).

When fully implemented, "the modern system damps the effect of technological change and insulates users from the full lethality of their opponents' weapons." But not all states can master this system, which is complex and poses painful political and social tradeoffs. For instance, an autocratic state may not be willing to permit the decentralization and freedom of action to its junior officers that the modern system requires. Accordingly, the major military "gap" of the future will be between those states that have mastered the modern system, and those that have not.

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Biddle tests his theory of force employment by first examining three historical cases. The ones he chooses would seem to favor the "materialist" alternatives—preponderance and systemic technology—to his theory. In all cases, his theory of force employment proves superior to the materialist alternatives: Operation Michael, the unprecedented German breakthrough at the Second Battle of the Somme (1918); Operation Goodwood, the failed British breakout from the Normandy beachhead (1944); and Operation Desert Storm (1991). He then turns to analysis of statistical data and, finally, to computer simulation experimentation. In all cases, his new theory of force employment outperforms its more orthodox materialist competitors.

Military Power is an important book. But it is open to criticism, the most important of which is the undeniable fact that, in the past, the side with the most operationally competent military nonetheless suffered defeat in the war. So yes, Operation Michael was a German success at the operational level, but Germany still lost the war. Indeed, there is a consensus among military historians that the German army in both world wars was far more effective at the tactical and operational levels of war than its opponents, but that this excellence was trumped by a combination of Allied material superiority and bad German strategic choices.

However, this criticism does not outweigh the real value of *Military Power*. It has important implications for both international relations theory and defense policy. I focus here on defense policy—visions of future war, defense budget priorities, force structure, weapon development and acquisition, campaign assessment, and military doctrine. The most important point is that the radical changes advocated by "transformers" in current approaches to war (the doctrine and force structure that advocates demand) could actually *reduce* U.S. military capability. That is because the "emerging battlefield is a further extension of the one for which traditional approaches were designed," says Biddle.

Future war, he argues, is not a radical departure from historical precedents, as the transformation advocates seem to believe, but a continuation of trends and relationships that have been evolving for a century and a half.

From Alfred Nobel's prediction that dynamite was such a radical change that it would lead to the end of war, to similar claims about the machine gun, the naval torpedo, the bomber, and the nuclear bomb, predictions of revolutionary change in warfare have been commonplace—and wrong. The radical restructuring of the U.S. force structure from a balanced force of air, land, naval, and space capabilities to one that relies primarily on long-range air- or ship-delivered precision strikes would be very risky. Such an unbalanced force structure might work well against an opponent that has not mastered the modern system of force employment. But against one that has such mastery it would be at a severe disadvantage.

Transformation advocates fancy themselves revolutionaries struggling against reactionary military establishments. Biddle argues that they have not made their case. Certainly, in the past, some military organizations have been too slow to adapt to changing conditions, but there are also many examples of militaries that have changed too fast or too much: the interwar Royal Air Force, the U.S. Air Force in the late 1940s, the French *jeune école* navalists of the 1880s, and the British Army in the late 1930s.

Military Power reminds us that defense policy is a topic too serious to be left to "true believers." ♦

Miami Rhapsody

A journalist misses the stories around her.

BY ANN STAPLETON

Gail Godwin's new novel makes exiles of everyone, including the reader. The year is 1959, and the callow yet calculating Emma Gant arrives in Miami to begin her life as a cub reporter. Her residential hotel, the Julia Tuttle (named for Miami's founder), is heavily populated with the first exiles from Cuba, all harboring hopes that Castro will prove to be a flash in the pan and they will soon be able to return home to resume their former lives.

Hector Rodriguez, dental surgeon by day, arms smuggler for the counterrevolution by night, speaks for all of them, as we listen ruefully from our little perch on the new millennium:

> This new "*ley agraria*" of Fidel's, his "land reform," is nothing but an excuse to take what he wants. But do you know what keeps me hopeful, *señorita*? My respect for history. Yes, I am a great fan of *la historia*, especially the history of my country, and what gives me the hope are two things. One—he held up a finger—no Cuban ruler has ever held power for as much as ten consecutive years. And two—up went the second finger—is for certain the Americans will never allow a Communist regime to come so close to their shores.

And yet these vibrantly drawn never-say-dies, with their *medianoches* (fried pork and cheese sandwiches) and their fried green bananas, who dance the *cha-cha-cha* at poolside even as they plot the downfall of the great usurper Fidel, are repeatedly marginalized. Each time we try to get a good look at one of them—Enrique Ocampo, his sugar plantation appropriated by Castro, his entire body contorted into a strange, new posture of hesitancy and unaccustomed deference as he

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struggles with an unfamiliar language and a new life as a desk clerk—the insubstantial Emma steps into the picture and obscures our view.

Thus the odd and disconcerting mismatch between the relatively lightweight, popular-novel treatment of Emma's coming-of-age story (new job, married lover, nail polish) and the gravity of the underlying themes: exile, in its various forms; usurpation—of individual lives, of an entire country; the importance of finding and protecting one's authentic self (we must somehow manage to be what we are, in order to be truly known and loved); and the transmigration of souls (the ability to enter into another consciousness) we experience by way of empathy.

This disparity is unfortunate, since Godwin, when she makes an end run around Emma, can be remarkably insightful, expressing all the anguish of a displaced people in the poignancy of one small detail, as in Mrs. Ocampo's comments regarding two dolls belonging to her solemn nine-year-old daughter Luisa, who dreams of going home again: "Tilda has the headaches and Manuela, she has *las pesadillas*, the bad dreams. The dolls suffer for our whole family, thanks to our wise Luisita here." Thus the violence done to a culture by a broad scale usurpation such as Castro's reaches even into the sleep of the children's toys.

In the title, Godwin invokes the Greek goddess Persephone. While picking flowers on the plain of Enna, she was suddenly kidnapped, sucked down through a cleft in the earth, by Hades, king of the underworld, her mother Demeter's loneliness for her making a bitter wintertime of the world above. In the novel, the title of Queen of the Underworld unofficially accrues to Emma, empress of her own little realm of newspaper types and insurrectionist Cubans, awaiting her own imminent "abduction," but specifically refers to Ginevra Snow, Emma's counterpart or "sister adventurer," a former madam with whose story (another figurative kidnapping) Emma becomes obsessed.

Ginevra, "in a somnolent contralto," declaims Keats's "La Belle Dame Sans Merci" while lying on a gurney in a hospital emergency room, and does little else of interest, her connection with Emma fizzling to an ongoing correspondence on such mundane topics as the queen's decision to finish high school. It is telling that the people who supposedly mean most to Emma, including her lover, spend the greater part of the novel away from her, as if crowded out by her overwhelming self-concern—a trait that has the effect of trivializing, rather than reinforcing, the book's themes.

Random House / John Kleinhans

Gail Godwin

Queen of the Underworld
by Gail Godwin
Random House, 352 pp., $24.95

And so the question becomes, can Emma Gant (her name a cross between Jane Austen's "heroine whom no one but myself will much like" and Thomas Wolfe's Eugene Gant, unable to go home again) carry the novel? It's a curious phenomenon. All the pieces are in place here: the epigraphs by Spanish exiles, Emma's story, usurpations large and small, the overlay of mythos. Yet the parts remain separate and immobilized, like a string of railroad cars with no couplers and no engine. We have our tickets, but nobody is going anywhere. And then we realize what's missing. That the absent element is the reader's engagement—the spark of interest, the willingness, the absorption necessary to fire things up and move the scenery along—should not be at all surprising.

Life is personal. Human beings are naturally self-serving creatures, when not in the throes of occasional magnanimous and glorious acts, and in literature our self-interest (though it set the deconstructionists in their death throes to another round of hissing and shrieking) is best served by characters (preferably more than one, but even one will do) whom we can—yes, I'll say it outright—whom we can *love*.

I use the term loosely, to suggest someone, however flawed, whose fate engages us deeply. That there is no one here who fits that description represents an exile from meaning and pleasure that we might well protest.

But we are still left with the paradox of Emma's presence: that she consumes all the oxygen in the novel, and yet somehow her flame remains too dim by which to see much. (In Greek, Persephone means "she who destroys the light.") In an indicative scene on a borrowed houseboat, Emma uses a bathroom decked out with hundreds of small mirrors:

> Virtually every inch of wall was covered with them. Square ones, round ones, heart-shaped, Art Deco, Tiffany, Woolworth's, framed in seashells, the masks of Comedy and Tragedy, you name it. Yet nowhere could you have an extensive view of yourself. While seated, I . . . partook of snippets of my anatomy, none of which, because of the limited views allowed, was either alarming or flattering.

And thus we always encounter Emma, fixated on her own image, but never able to see herself clearly, every person she meets a miniature looking glass in which to regard her own visage. Similarly, we are at the mercy of "the limited views allowed" by Godwin's choice of Emma as narrator. Whereas Jane Austen had the third person at her disposal to moderate the effects on the reader of her not-quite-likable Emma, Godwin has chosen the first person as her vehicle, and Emma to drive it. But in addition to the awkward self-boosterism the choice engenders ("My combination of attractive surface and interesting mind appeared to be having its effect") a character like Emma's begs for author-

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ial intrusion, both to censure and to save her.

To be fair, Emma does make a bit of progress toward the end of the work, particularly in a scene around the pool at the Julia Tuttle when, surrounded by the exiles, she forgets herself a little, engages with Luisa, and is able, finally, to take her first swim. But her immersion seems too little too late, and is undercut by the affectless, science-book language of her epiphany: Like Emma, we are given the words, but not the feeling:

> Lulled by my partial submersion in the watery element, and by the discipline of rhythmic breathing, my mind began to unclench and let go of its habitual frets. . . . Associations spooled out and made new contacts. Tough subjects and their interconnections pulsed with interest. . . . Our designs in progress collided, intermingled, left behind imprints, created more options, each with its set of branches and subbranches.

When Emma's boss (nicknamed Lucifer), despised by Emma for not much better reason than that he remains immune to her charms, in a sudden, anticipated-all-book-long strike, finally absconds with her (simply a reassignment of Emma to a work location she does not prefer), we are not moved to round up a search party. In truth, we are a bit relieved. Her absence will not turn the topside weather glacial and dull, and leave us lonely for human connection. It was, regrettably, her presence that did that. ♦

Not-so-Great Pretender

Fiction can't hide the truth about Ismail Kadare.

BY STEPHEN SCHWARTZ

Ismail Kadare is the only Albanian intellectual well known outside the lands where that language is spoken. *The Successor*, originally published in 2003, is his most recent novel rendered in English. The word "translation" does not really apply here because David Bellos, a Princeton professor of French, does not know Albanian, and reworked this version, and his earlier such efforts with Kadare's writings, from French editions.

The Successor
by Ismail Kadare
Arcade, 216 pp., $24

Kadare's novels fall into two categories. Volumes like *Doruntine*, published here in 1990, *The Three-Arched Bridge* (1997), *Broken April* (1998), and *Spring Flowers, Spring Frost* (2002) revive ancient Balkan legends. They sometimes center on a woeful but enduring tradition, the blood feud, which remains a serious problem in northern Albania.

These titles have been successful with Western readers thanks to their exoticism, an occasional air of menace and suspense, and touches of romance. The other stream of Kadare narratives is political: *The General of the Dead Army*, published here in 1990, and *The Concert* (1998). They reproduce the ideological issues and convoluted relationships in Communist Albania under the dictatorship created by Enver Hoxha, who ruled the country from 1944 until his death in 1985.

The common element in all of Kadare's fiction is stylistic detachment. The landscape of the Albanian lands is diverse and sometimes spectacular: the high, stunningly lonely peaks known as "the Accursed Mountains," and other impressive ranges, as well as immense lakes and the green fields of Kosovo. Greek, Roman, Slav, Venetian, and Ottoman architectural gems are numerous. But Kadare does not excel at description, and seems a stranger in his native country, even as his stories, which transpire mainly in the minds of his characters, incorporate many an obscure note. These include references to the *Kanun*, or Albanian customary law, which must be incomprehensible to foreigners. Anyone who has traveled among the Albanians cannot but wonder what impression Kadare's tales make on those who have not. Still, their disengaged temper and insubstantial tissue, set in a fantasy land best called Kadaria, appeal to Western European readers, who take them as simple, undemanding fables perfect for beach reading.

The Successor stands among Kadare's works with overtly political themes, but its indeterminate and formulaic style serves as a thin shroud for its subject: The very real death, in December 1981, in the capital of Tirana, of Mehmet Shehu, the 68-year-old second-in-command to Hoxha. This book may be called a *roman à clef*—but only barely, since its dust jacket and other publicity matter explicitly identify it with Shehu's demise. It never names the two main figures, Hoxha and Shehu, except as the Guide and (eponymously) the Successor. Yet an introductory note by Kadare states that the resemblance of the characters and circumstances in the book to real individuals and events is "inevitable." As will be seen, it is genuinely fictional, but in a way destined to be overlooked by most non-Albanians.

Kadare presents the death of Shehu as a mystery, and the primary enigma is whether Shehu killed himself or was murdered. A number of potential suspects are introduced, ranging from the dictator to the dead man's wife, and from a potential successor to the Successor to an architect working on the Successor's residence. Much of the plot is taken up with speculation, and even dreams, about these figures. It is also revealed, in passing, that the Succes-

Stephen Schwartz is a frequent contributor. Three of his books, including The Two Faces of Islam, *have appeared in Albanian.*

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sor's daughter Suzana has been involved with a man whose family has roots in the pre-Communist epoch and who is, therefore, politically suspect. In Kadare's quotation from the rhetoric of the time, the Successor "had pushed his daughter into the enemy's clutches."

But finally, *The Successor*'s recounting of the Shehu case is evanescent, ending in confusion. Phrases in Hungarian and Mongolian are gratuitously introduced, apparently to heighten the sense of the bizarre. The final chapter is a monologue by the dead Shehu, which leaves the "mystery" unresolved.

And now, the backstory. In reality, there is little that is puzzling about the death of Mehmet Shehu, aside from whether he was simply killed outright or forced to commit "suicide." From the moment of his death, everybody in Albania and abroad understood that Hoxha, dominated by paranoia, had eliminated a rival—by no means the first, or the only one, whose liquidation was arbitrary and brutal. Mehmet Shehu, an adventurer and soldier, had always excited jealousy in the feckless and effete Hoxha, who affected expensive Italian suits and boutique footwear, and preferred party offices to army fortresses.

By contrast, Shehu was a veteran of the International Brigades in the Spanish civil war, where, like other Albanians, he refused assignment to a battalion under Yugoslav Communist officers. The Albanians preferred to fight alongside the Italian antifascists, which appears logical since Mussolini sent mercenaries to Spain while pursuing imperialist designs on the small Balkan land. (More important, the Albanians feared and distrusted all Serbs, including Communists.) Shehu was a battlefield commander of Albanian partisans during World War II, and became a notably cruel Communist boss in his own right. When Albania sided with China against Russia at the beginning of the 1960s, Shehu was said by Anastas Mikoyan to have declared, "Anyone who disagrees with our leadership on any point will get spit in the face, a blow on his chin, and, if necessary, a bullet in his head."

The immediate pretext for Shehu's downfall has long been known—the seemingly trivial romantic alliance of his child with a member of an anti-Communist family, as mentioned in *The Successor* without serious elaboration. In the real incident, a wedding engagement linked a son of Shehu, rather than a daughter, with a relative of Arshi Pipa, a dissident author and scholar. Pipa defected to the United States in 1958 and died in Washington in 1997. Although Muslim, Pipa was a strong defender of the Catholic minority in Albania, a particular *bête noire* of Hoxha. After Shehu's death, Hoxha produced a thick book entitled *The Titoites*, portraying Shehu as a traitor beginning with his service in Spain, and specifically condemning him for letting a member of his tribe consort with the clan of Pipa.

Ismail Kadare, a long-serving functionary of the Democratic Front, the Albanian ruling authority under communism, does not come to the Shehu-Pipa case with clean hands. In 1990, while the Albanian Communists still enjoyed absolute power, the future author of *The Successor* published a book titled *Invitation to the Studio*. (He then left for France, where sales of his writing in translation had provided him with a respectable bank account.) In *Invitation to the Studio*, Kadare denounced Pipa as "diabolical; to his misfortune mediocre; a snitch; absolutely a spy; an old hyena; a new Salieri." Kadare referred to this Muslim opponent of dictatorship by the Serbian name Pipitch, which he compared to the sound of urination. Kadare himself thus contributed to the original and unmysterious mystification about the death of Shehu. If anyone alive knows the truth of how Shehu perished, it is Ismail Kadare—but he has chosen not to disclose it.

The Successor is, then, truly fictional in its intentional blurring of the facts in the Shehu case—not for literary purposes, but to shield Kadare himself. Since his departure from Albania, Kadare has made an extraordinary effort to present himself as an anti-Hoxha dissident when, in fact, he was a figurehead for the most tyrannical order in Balkan history, and a persecutor of intellectual dissidents. Kadare has been fairly successful at this game among non-Albanians; earlier this year he was awarded the first Man Booker International Prize by clueless judges who treated him as a champion of creative freedom. But this led to numerous protests by Albanians and their friends, as well as by experts on Albanian culture and history, who are not fooled. It has also led, in response, to loud, defensive squeals from Professor Bellos at Princeton, who has made the promotion of Kadare his main résumé item.

Ismail Kadare, 1997

Corbis / Sergio Gaudenti

Such is the state of literature today. A Communist hack reinvents himself as a martyr to liberty; his books, in a little-known language, are introduced to American readers by a man "translating" at second hand, missing references and nuances present in a foreign idiom. Prizes are awarded, and the chests of *bien-pensants* swell with pride.

Kadare has tried for years to get the Nobel Prize. Given the recent record of the Swedish Academy in presenting that honor to such charlatans as last year's recipient, Harold Pinter, Kadare should not have much longer to wait. But Albanians have enduring memories—strong enough to recall the case of Mehmet Shehu without help from an obfuscating novelist—and should Kadare get the Nobel Prize, Albanians and their genuine friends will not be fooled. ♦

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Blooded by Blair

New Labour's war on Old England.

BY SIMON HEFFER

This time last year, Tony Blair became the first European head of government since Adolf Hitler to abolish fox-hunting.

The ban came after decades of debate in England about, ostensibly, whether it is cruel for foxes to be torn apart by a pack of hounds after a chase. By the time this activity was banned, the debate had ceased to be about anything of the sort. It was more about the hatred that many people, in Britain's still class-based society, feel about what they regard as the sporting pursuits of the wealthy and landed. It had also, though, become a symbol of the utter incomprehensibility of rural life to those who live in the great centers of population in urban England.

I write "England" because, under Britain's system of devolved government, hunting was banned in Scotland nearly three years ago. The arguments there were identical, and the political motivations the same. Scotland is run by a predominantly left-wing devolved government. With one or two honorable exceptions, it is central to the creed of the British left that they will oppose hunting.

However, once the ban was implemented in Scotland, the chase carried on as before. All that changed was that, when the fox was cornered, it was killed by men armed with 12-bore shotguns while the dogs were kept at a distance. Those who agitated for the ban in Scotland now see as many foxes killed as before. The "toffs," as they call the hunters, still get their sport. A prosecution brought against a hunt for killing a fox failed. It has been an utterly pointless exercise.

The ban came into effect in England last February, about five weeks before the end of the hunting season in most parts of the country. Hunts reported that, in the last weeks of the season, as many foxes were killed as before. So symbolic has the ban become of an arrogant and ignorant government that, on the first Saturday on which the ban was in force, tens of thousands of hunt followers turned out at meets all over England to show their support. It played a small part, but a part nonetheless, in the decline in the Labour party's vote in many rural areas in last year's elections.

It looks as though the ban will be as unenforceable in England as it has proved in Scotland. The country's overstretched police forces simply lack the resources and the manpower to see whether a piece of vermin is, or is not, being killed by a hound. Rural England is gravely under policed: Villages that used to have their own bobby lost him 10 or 20 years ago. If a burglar alarm goes off in a house in rural England, it can take an hour for anyone to turn up to see what is going on, especially if the incident occurs on a weekend.

Since the beginning of the latest season, animal-rights activists have sought to provide evidence of offenses under the new law, and urged prosecutions. But any such cases are sure to provoke unrest, anger, and further division at a time when the Labour government is already low in public esteem, and sinking. For years, there was no organized lobby in England to defend hunting. Those who did it simply failed to believe that a government could ever be so motivated against them as to want to abolish their sport. After all, they knew that foxes were vermin that wrought huge destruction of livestock and game in the countryside. No one could possibly object to their being killed, could they? And anyone who had actually hunted knew that, once the hounds caught the fox, death was instantaneous. The alternative methods—shooting, trapping or poisoning—were far less reliable and less humane.

Apart from making the mistake of not arguing their case in an organized way, the pro-hunters failed to see that this was not about foxes at all, or about wider issues of animal welfare, but about them. In the 1920s and '30s there was a set, of which the then-Prince of Wales (later Edward VIII) was the most prominent member, who hunted more or less all the time. They bought or rented houses around towns like Melton Mowbray in Leicestershire, the heart of England's prime hunting country, and from October until March might ride to hounds four or five days a week.

The very fact that such people did not seem to have to work for a living at a time when the world's advanced economies were in a slump, and poverty and hardship were rife, provided fuel for socialist levelers. But that was 80 years ago. Sadly, the image and stereotype have not passed. A few rich people do hunt, and some of them hunt a lot. But most hunts are populated by farmers, many of them tenants rather than landowners, and other non landed country people or townies who hire horses to have a day's sport.

Many of what Labour would call "our people"—members of the rural working class—are involved in some way with the hunt. Some of them have a horse and ride to hounds; countless others enjoy the spectacle and the camaraderie and follow on foot. Above all, throughout England, thousands of skilled and semi skilled workers depend on the hunt for a living—blacksmiths, farriers, huntsmen, kennel maids, saddlers, and grooms—and these natural Labour voters are at grave risk of being thrown out of work by the hunting ban.

Once the hunting fraternity realized its way of life was under threat, and groups such as the Countryside Alliance were formed to give an organized response to it, something remarkable happened. The anti-hunting lobby

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found itself slipping in public estimation. A poll carried out at the end of 2003 found that 59 percent of respondents favored the continuation of foxhunting. The anti-hunters were exposed as knowing little about what actually goes on in the hunting field, or deliberately misrepresenting it for political reasons.

An argument, on their part, that had relied heavily on sentiment and prejudice was now being effectively countered by fact. However, the anti-hunters were too far gone down their particular road to be swayed by that. Above all, it was proved to the English public that even if class hatred were the basis for seeking a ban, the anti-hunters had found the wrong target. The hunters were not a collection of braying, idle, vicious toffs. Nonetheless, with a majority of nearly 160 in the 659-seat House of Commons, Labour could effectively end hunting whenever it chose to do so.

Tony Blair had made promises that the sport would be banned even before he came to power in 1997. However, it soon became clear that he had said this not out of personal conviction, but because it was an easy means of appeasing the old left of his party, who naturally disliked him. His wife, too, was well-known to hate hunting, and was widely reported as having put him under pressure to bring in a ban. As Blair struggled to get measures reforming the governance of state-run hospitals and the funding of higher education through the Commons, the bone of a hunting ban was thrown to his backbenchers. They joyfully grabbed it.

Blair, though, was more aware than they were of the organized opposition to a ban that had suddenly grown up. He was aware, especially, of the difficulties a wealthy and increasingly angry lobby of sophisticated people could pose to the government of the day, and the potential for conflict and division. He sought means to put the genie back in the bottle, but he failed. And although the House of Lords rejected the ban, under British law they could delay it only for one session of parliament. Therefore, the ban was passed, and given royal assent by a Queen whose family continued to enjoy the sport right up to the end.

Corbis / Richard Smith

The Lure [illegible]

Hunting is an important part of British culture. Not only does it feature in the novels of such writers as Anthony Trollope and Henry Fielding, it was the very basis of the celebrated series of "Jorrocks" novels by R.S. Surtees. Prints and paintings of hunting scenes do not merely adorn our stately homes and grander houses, but are to be found on the walls of cottages and village pubs. They are to be found on chocolate boxes and biscuit tins. ("Gone to earth," "hunting with the pack," and "being blooded" are just some of the phrases from the sport that have passed into the language.) Above all, much of our countryside looks like it does in order to facilitate the sport. It would have been far more economical for many farmers to cut woodlands down and grow cash crops on them had they not wanted to preserve cover. Similarly, hedgerows, obstructive and time-consuming, would all have vanished long ago.

There is a strong element in the Labour party that wants to destroy rural culture because it is so thoroughly alien to the urban soul. Above all, it represents many things—peace, quiet, space, clean air, nature—that some urban socialists resent not having had themselves, and which they therefore would like to take away from as many other people as possible. In having parliament ban foxhunting, these elements feel they have struck the greatest possible blow for their cause, short of nationalizing land.

Agriculture in England is suffering terribly because of such ignorance about how the countryside works, and what it is actually for. On this crowded island, the precious and dwindling resource of rural England needs to be protected; but the government does quite the opposite. Its disregard for the livestock industry, as exemplified in its careless handling of the foot-and-mouth disease outbreak in 2001, has already put many farmers out of business. Many arable farmers are living off European Union subsidies. To many in the Labour party, food comes from supermarkets, and the countryside is a theme park for the use of anyone from the town who wishes to visit it.

There are plans to build over a million new houses in the countryside, plans shaped with utter disregard for the landscape, for country dwellers, or for population projections. The Blair government's only concept of something called "rural England" is that it is becoming an irrelevance. This desire to standardize Britain, to disregard history as being backward-looking, and to show contempt for those who seek to offer any alternative to the ruthlessly urban view, remains embedded in the modern, authoritarian, anti democratic Labour party.

The war, however, is not over. The latest hunting season has shown the difficulties of enforcing the ban, and at what social and political cost. It is also likely that, should a Conservative government be returned to power at the next election in 2009 or 2010, it will overturn the ban as part of an attempt to recover various liberties confiscated by the Blair administration.

In rural England, the sheer vindictiveness, hypocrisy, and ignorance of the decision to ban hunting still rankle deeply. The fight has some way to go yet. ♦

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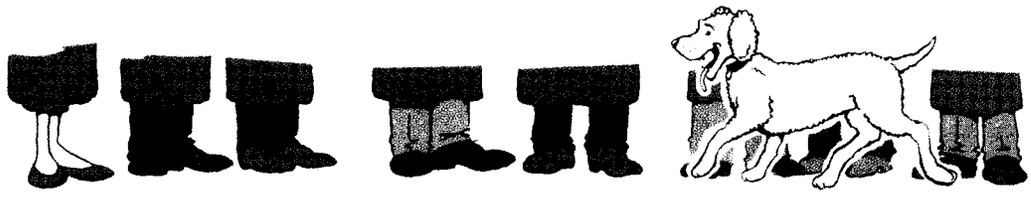
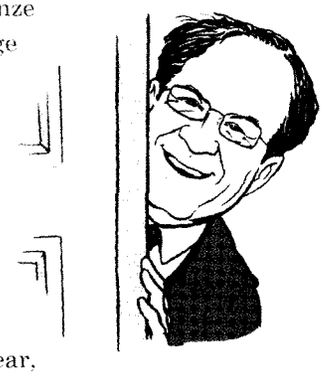
Sen. Ted Kennedy is writing a children's book that will explain the workings of government from the point of view of his dog Splash.
—Reuters, Jan. 10

Parody

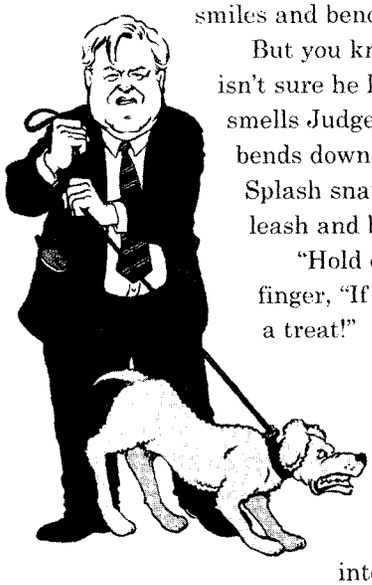


Today is Monday, the first Monday in October, and Splash can't wait to go for a walk. Where will we go? Let's go to the Supreme Court building across the street! Splash loves the Supreme Court because all eight justices feed him yummy treats. Hey, wait a minute! Aren't there supposed to be nine justices?

But look, Splash! Somebody's knocking at the big bronze door at the Supreme Court. Who can it be? Why, it's Judge Alito! "Good morning, Judge Alito," says the nice guard, Sergeant Specter, "would you like to come in and join the justices?"



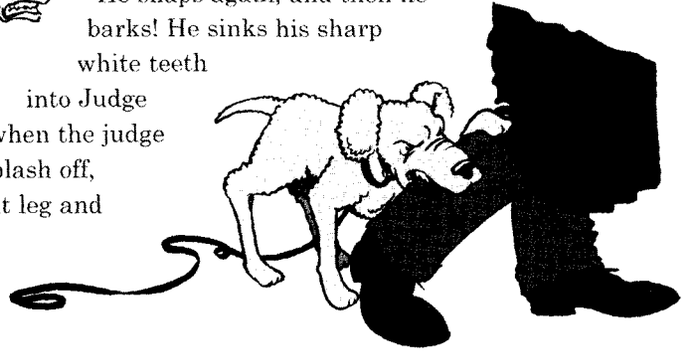
"It would be a great honor," says Judge Alito, who smiles and bends down to pat Splash.



But you know how dogs can be! Splash isn't sure he likes Judge Alito. Maybe he smells Judge Alito's cat! When the judge bends down to scratch Splash behind the ear, Splash snarls at the judge. Then he snaps! Then he pulls at his leash and barks and lunges at Judge Alito's ankle.

"Hold on, Splash!" says Sergeant Specter, wagging his finger, "If you don't behave yourself, Judge Alito won't give you a treat!"

But Splash is one determined Portuguese Water Dog, and he has decided, in his little doggy brain, that some things are more important than treats. He snaps again, and then he barks! He sinks his sharp white teeth into Judge Alito's calf, and just when the judge thinks he's shaken Splash off, Splash raises his right leg and



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In the [illegible]

The New Realism

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For all the media hysteria and the indisputable errors of implementation, the Bush Doctrine is, in fact, moving ahead. I continue without reserve to support our efforts in Afghanistan and Iraq and our pressure for reform in the Middle East at large. Not because the Bush Doctrine follows some predetermined neoconservative agenda—I thought the January 28, 1998, letter by the Project for the New American Century, urging the removal of Saddam Hussein, was ill-conceived at the time—but rather because, in a post-9/11 age, muscular idealism is the new American realism, the one antidote to Isalmic radicalism and its appendages of terror.

—Victor Davis Hanson

Katrina and School Vouchers

How to rebuild New Orleans's schools—and transform the city's system of education

Most New Orleans schools are in ruins. This is a tragedy. It is also an opportunity to reform the educational system. Rather than simply rebuild the destroyed schools, Louisiana, which has taken over the New Orleans school system, should empower parents by providing them with vouchers. Parents would then be free to choose the schooling they considered best for their children. Such a reform would meet emergency needs: Vouchers would be usable by the students who are now scattered all over the country to purchase educational services wherever they are. More important, the vouchers would encourage private enterprise to provide schooling. Is there any doubt that the private market would provide schooling for children returning to New Orleans faster than the state?

—Milton Friedman

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